

## **CHAPTER 14 - SUBDIVISION REGULATIONS<sup>1</sup>**

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**As of 12/31/06**

**Resolution 06-42**

**Adopted 11/30/06**

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## ***ARTICLE 14-1***

### ***TITLE, AUTHORITY and DEFINITIONS***

#### **Section 14-1-1      Short Title**

These regulations shall be known and may be cited as the “City of Maricopa Subdivision Ordinance” and will be referred to herein as “this code”, or “this ordinance”.

#### **Section 14-1-2      Authority**

This ordinance is adopted pursuant to the authority contained in the Arizona Revised Statutes (A.R.S.) § 9-463.01, *et seq.*

#### **Section 14-1-3      Purpose and Intent**

- A.**    The purpose of this ordinance is to implement the vision statement of the General Plan; to provide for the orderly growth and harmonious development of the City of Maricopa; to ensure adequate vehicular and pedestrian traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, drainage, flood protection, sanitary sewage, and other health and safety requirements; to ensure consideration for adequate sites for schools, open space, recreation areas, and other public facilities; to help ensure that emergency services such as fire, ambulance and police services can be provided to all developed land; to promote the conveyance of land by accurate legal description; to provide comprehensive design standards; to promote a high quality of life; and to provide practical procedures for the achievement of this purpose.
- B.**    In the interpretation and application of this ordinance, it is intended that a common ground of understanding and a sound and equitable working relationship exist between the public and private interests and to this end, the independent and mutual objectives of the public and private interests can be achieved in the subdivision of land.

#### **Section 14-1-4      Adoption of Figures**

All figures within this ordinance are hereby adopted and shall be incorporated herein as a part of this ordinance.

#### **Section 14-1-5      Adoption of Appendices and Maps**

Any appendices and/or maps within this ordinance are hereby adopted and shall be incorporated herein as a part of this ordinance.

#### **Section 14-1-6      Definitions**

For the purpose of carrying out the intent of this Subdivision Ordinance, certain terms or words used herein shall be interpreted or defined as follows. Words used in the present tense include the future; words used in the singular include the plural; and words in the plural include the singular. The words “shall” and “will” are mandatory. The words “may”, “could” and “encourage” are permissive. The words “guidelines”, “provisions”, “standards” and “regulations” are used interchangeably and are mandatory. The following additional words and phrases shall, for the purpose of this ordinance, have the following meanings:

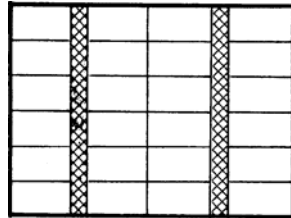
1.      **Abutting:** The condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only at a corner(s).
2.      **Accessory Use:** A use, building, structure, part of a building, or part of a structure which is subordinate to, and the use of which is incidental to, that of the main building, structure or use on the same lot, including a private garage. If a building otherwise qualified as an accessory building is attached to the main building by a common wall or roof, such building shall be considered part of the main building.
3.      **Alley:** A right-of-way, dedicated to public uses, which gives a primary or secondary means of vehicular access to the rear or side properties otherwise abutting a street, and which may be used for utility access but is not intended for general traffic circulation.

4. **A.L.T.A.:** American Land Title Association.
5. **Basin, Detention:** A stormwater storage facility that temporarily stores surface runoff and releases it at a controlled rate through a positive outlet. A detention basin and park may be joined to serve both recreational needs and as a water storage facility (see design criteria in Article 14-6, Section 14-6-4 and 14-6-13).
6. **Basin, Drainage:** A geographical area that contributes surface runoff to a particular concentration point. The terms “drainage basin”, “tributary area” and “watershed” are used interchangeably.
7. **Basin, Retention:** A storm water storage facility that stores surface runoff. Stored water is infiltrated into the subsurface or released to the downstream drainage system or watercourse (via gravity outlet or pump), or evaporated after the storm event. A retention basin and park may be joined to serve both recreational needs and as a water storage facility (see design criteria in Article 14-6, Section 14-6-4 and 14-6-13).
8. **Berm:** An earthen mound, either natural or man-made.
9. **Bicycle Lane:** A paved area located within a street right-of-way and within the pavement section that is designated for bicycle or other non-motorized traffic.
10. **Bicycle Trail:** A paved or improved surfaced trail, located outside of a street right-of-way, utilized for bicycle, pedestrian or other non-motorized traffic. Public utility maintenance vehicles may be permitted use if joint access is allowed.
11. **Bicycle Path:** A paved area located within a street right-of-way but not between curbs that is designated for bicycle or other non-motorized traffic.
12. **Block:** A piece or parcel of land or group of lots bounded by public or private streets and public land, railroad rights-of-way, state highway rights-of-way, washes, parks, or a combination thereof creating a physical barrier of sufficient magnitude as to interrupt the continuity of development.
13. **Board of Adjustment:** The Board of Adjustment for the City of Maricopa.
14. **Buffer Area:** An area of land, including landscaping, berms, walls and fences but not building setbacks, that is located between land uses of different character or density and is intended to mitigate negative impacts of the more intense use on residential or vacant parcels.
15. **Buildable:** A lot or parcel that has the area, shape, slope, street frontage, or other attribute in order for a permitted use, based on the lot or parcel's Zoning District, to be developed, without the need for any variance from the City Zoning Ordinance.
16. **Building Setback Line:** The required minimum distance, as prescribed by the City Zoning Ordinance, between the property line and the closest point of any building or structure.
17. **Bus Stops (School):** Areas designated by the School District as needed for the convenience and safety of the students and public per Arizona Administrative Code

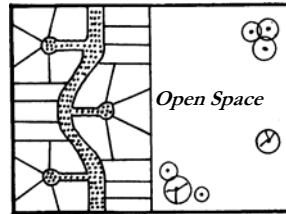


(A.A.C.) R17-9-104.

18. **Chord:** A straight line joining two points on a curve.
19. **City:** The City of Maricopa, Arizona.
20. **Cluster Development:** A development pattern that concentrates development in specific areas on a site through a density transfer rather than distributed evenly throughout a parcel as in conventional lot-by-lot development with the remaining portion of the site retained as natural open space or parks.



24 Conventional Lots  
Minimum Open Space



24 Clustered Lots  
50% Open Space

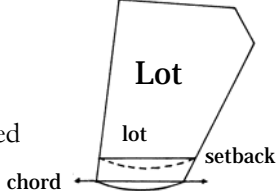
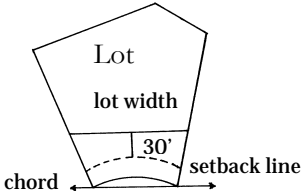
21. **Commission:** The Planning & Zoning Commission of the City of Maricopa.
22. **Committee:** The Technical Advisory Committee of the City of Maricopa.
23. **Conditional Approval:** An affirmative action by the Commission or Council indicating that approval will be forthcoming with satisfaction of certain specified conditions or stipulations.
24. **Condominium** (*See also Time-share Unit*): Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. The term “condos” may also be used in the ordinance.
25. **Conservation Easement:** A conservation easement is a permanent open space easement granted to the City or to a public land trust to limit or prohibit development of the property; to protect archaeological sites, ecologically significant lands, scenic highways, hiking trails, biking trails, equestrian trails, and; to preserve the land for the scenic enjoyment of the general public.
26. **Conventional Development:** Development other than a Cluster Development, a Master Plan Development (M.P.D.) or a Planned Area Development (P.A.D.).
27. **Council:** The City Council of the City of Maricopa.
28. **County:** Pinal County, Arizona.
29. **Cut:** The removal of soil, rock, or other materials from a location which shapes and lowers the grade at the location.
30. **Department:** The Planning and Economic Development Department of the City

of Maricopa.

31. **Developer** (*See also Subdivider*): A person, firm, partnership, joint venture, trust, syndicate, association, corporation, limited liability company or other legal entity who desires to improve or otherwise engage in any development of property within the City of Maricopa, including the owner of the property; except that an individual serving as agent for such legal entity is not a developer.
32. **Development:** The utilization of land for public or private purposes.
33. **Easement:** A grant by the owner of the use of land by the public, a corporation, or person for the specific uses designated.
34. **Engineer:** The City Engineer of Maricopa or his designated representative.
35. **Engineering Department:** The Engineering Department of the City of Maricopa.
36. **Exception:** Any parcel of land that is not owned by the developer or not included in the recorded plat. All such exceptions must be noted on the final plat as “not a part of this subdivision.”
37. **Figure:** Any graphic representation noted as “Figure” within this ordinance, that is used to illustrate and exemplify certain standards and regulations contained within the language of this ordinance. If a figure and text of the ordinance conflict, the written text of the ordinance shall control.
38. **Fill:** Soil, rock, or other material, deposited at a location by man that raises the grade at that location.
39. **Finished Grade:** The final grade and elevation of the ground surface after grading is completed and in conformance with the approved grading plans.
40. **Flood Hazard Zone:** Any land area partially or wholly within a delineated floodplain susceptible to flood related damage as designated on the Flood Management Maps. Such flood hazard zones may include, but not be limited to, areas highly susceptible to erosion, stream meander sensitivity, moveable bed, scour, and subsidence.
41. **Floodplain:** Low lands adjoining the channel of a river, stream or watercourse, lake or other body of water, which have been or may be inundated by floodwater, and those other areas subject to flooding. A floodplain may be that area further defined by the Drainage Policy of the City of Maricopa and as shown on Federal Emergency Management Agency (FEMA) flood insurance rate maps (FIRM) or an approved flood control study.
42. **Flood Prone Area:** Any area within a floodplain.
43. **Floodway:** The channel of a wash or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one (1) foot.
44. **General Plan:** A voter ratified municipal document of the development policies

and goals, which may include maps, charts, graphs and text which set forth objectives, principles and standards for local growth and redevelopment enacted under the provisions of A.R.S. §9-461 *et seq.*

45. **Health Department:** Pinal County Health Department.
46. **Improvements:** Required installations, pursuant to this Subdivision Ordinance and any zoning stipulations, including but not limited to: grading, sewer, water, utilities, streets, curbs, gutters, sidewalks, trails, alleys, street lights, traffic control devices and landscaping; as a condition to the approval and signing of the final plat, before recordation.
47. **Improvement Plans:** A set of plans setting forth the profiles, cross-sections, details, specifications, and instructions and procedures to be followed in the construction of public or private improvements in the City of Maricopa that are prepared and bear the seal of an Arizona - Registered Land Surveyor, Engineer, Architect or Landscape Architect in accordance with the approved preliminary plat, and zoning stipulations, and in compliance with standards of design and construction that are to be approved by the City Engineer, other City Departments, the applicable County Departments, and all applicable utilities.
48. **Improvements Standards:** A set of regulations and exhibits setting forth the details, specifications and instructions to be followed in the design and construction of required improvements.
49. **Irrigation Facilities:** Includes laterals, ditches, conduits, pipes, gates, pumps and allied equipment necessary for the supply, delivery and drainage of irrigation water and the construction, operation and maintenance of such.
50. **Landscape:** Includes vegetation and irrigation, hardscape, public art or a combination thereof that may be calculated as open space (refer to the definition of *Open Space*).
51. **Lot:** A single piece of property having frontage on a publicly dedicated and accepted street or a private road approved and accepted by the City and which has been established by a plat, recorded subdivision or otherwise established by some legal instrument of record which is described and denoted as such.
52. **Lot Area:** The area of a horizontal plane within the lot lines of a lot but not including any area in a public way.
53. **Lot Corner:** The intersection of two (2) or more lot lines, or angle point or change in direction of a lot line.
54. **Lot Coverage:** The percentage of the area of a lot that is occupied by all buildings or other covered structures using the roof outline for all outer dimensions.
55. **Lot Depth:** The horizontal length of a straight line connecting the midpoints of the front and rear lot lines; and for triangular shaped lots, the shortest horizontal distance between the front lot line and a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.

56. **Lot Line:** A line dividing one (1) lot from another or from a street or any public place.
57. **Lot Splits:** The division or re-division of improved or unimproved land or established lots, the area of which is two and one-half (2½) acres or less, into two (2) or three (3) tracts, parcels of land or lots for the purpose, whether immediate or future, of sale, lease, or conveyance (refer to the definition of *Minor Land Division* if greater than 2½ acres in size).
58. **Lot Width:**
- A. For rectangular lots, lots having side lot lines not parallel, and lots on the outside of the curve of a street, the distance between side lot lines measured at the required minimum front yard setback line on a line parallel to the street or street chord;
- B. For lots on the inside of the curve of a street, the distance between side lot lines measured thirty (30) feet behind the required minimum front yard setback line on a line parallel to the street or street chord.
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59. **Lot, Corner:** A lot located at the intersection of two (2) or more streets.
60. **Lot, Improvement:** Any building, structure, place, work of art or other object or improvement of the land on which they are situated constituting a physical betterment of real property.
61. **Lot, Interior:** A lot other than a corner lot.
62. **Lot, Key:** A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street that forms the side boundary of the corner lot.
63. **Lot Line, Front:** In the case of an interior lot, a line separating the lot from the street right-of-way. In the case of a corner lot, the narrower of the two (2) lot lines adjoining a street right-of-way.
64. **Lot Line, Rear:** A lot line which is opposite and most distant from, the front lot line; except that in the absence of a rear lot line as is the case of the triangular shaped lot, the rear lot line may be considered as a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.
65. **Lot Line, Side:** The boundary of a lot that is not a front lot line or a rear lot line.
66. **Lot, Through:** A lot having a part of opposite lot lines abutting two (2) streets, and which is not a corner lot, (Also known as a “double frontage lot”). On such lot,

both lot lines are front, except that where a non-access easement has been established on such a lot, the front lot line shall be considered as that lot line most distant front the lot line containing the non-access easement.

67. **Master Plan Development (M.P.D.):** A mandatory plan for any development that is 320 or more contiguous acres and/or will be a multi-phased development of a large or complicated development application which provides information and graphics meeting the requirements of the Zoning Ordinance and an overall master plan meeting the requirements of the Subdivision Ordinance for the purpose of implementing an integrated development scheme for all phases of the proposed development. Each of the progressive stages of platting and development of a Master Plan Development shall be subject to Commission review and recommendation and Council approval.
68. **Minor Land Division:** The division of improved or unimproved land, the area of which is greater than two and one-half (2½) acres and either requires creating a road and/or the land does not constitute a subdivision, as defined herein or by Arizona Revised Statutes, due to the size of the original parcel or number of lots being created for the purpose, whether immediate or future, of sale, lease, or conveyance (refer to the definition of *Lot Splits* if less than 2½ acres in size).
69. **Mixed-Use Development:** A building or group of buildings developed for residential uses that are integrated with non-residential uses such as, but not limited to, office, retail, service, commercial, public, or entertainment, in a compact urban form.
70. **Natural Features, Significant:** Includes washes, significant vegetation, and significant rock outcroppings provided these features are in their undisturbed natural state.
71. **Natural Grade:** The undisturbed natural surface of the land, including washes.
72. **Natural Wash, Desert:** Any creek, stream, wash, channel, or other body of water having historical banks and with a flow rate equal to or greater than two (2) cubic feet per second based on a 100-year storm event.
73. **Net Acres:** The total acreage of a tract or parcel of land exclusive of the area existing or required for arterial or collector street right-of-way dedications and school/public site reservations. When calculating residential net acres within a Master Plan Development (M.P.D.) any multi-family, commercial or industrial land use must be excluded in addition to those uses listed above.
74. **Off Site:** Not located within the area of the property to be developed.
75. **Open Space:** Any parcel or area of land or water, natural or improved and set aside, dedicated, designated, or reserved for the use and enjoyment of all the residents of the development or the public in general. Open space does not include vacant or undeveloped lots, bike lanes or sidewalks attached to the back of the curb.
76. **Open Space, Common:** Open space usable by all people within a certain development and such area is owned in common by all property owners in that development.

77. **Open Space, Natural Area:** Open space areas required for the preservation and conservation of plant and animal life, including habitat for wildlife species; and areas required for ecological, cultural and other scientific study purposes for long-term public benefit.
78. **Open Space, Public:** An open space area conveyed or otherwise dedicated to a municipality, municipal agency, state or county agency, or other public body for recreational or conservational uses.
79. **Open Space, Useable:** Land which can be enjoyed by people. This could include landscaped or hardscaped plazas, paseo and promenades, fountains and sitting areas meant to provide an open park like atmosphere. Also natural areas, landscaped buffers, landscaped retention basins if designed in accordance with specific open space standards, playgrounds, golf courses, bicycle trails (but not bike lanes), pedestrian trails (not residential sidewalks), trail heads and parks.
80. **Owner:** The person or persons holding title by deed to land, or holding title as vendor under a land contract, or holding any other title of record.
81. **Parks:** A public/private tract of land that contains a mix of active and passive recreation facilities including for example but not limited to tot lots, defined and improved play fields and/or sport court areas, and/or other recreational components, and picnic/seating/shade areas that are landscaped/hardscaped in a pleasing manner.
82. **Pedestrian Way:** A public walk dedicated entirely through a block from street to street and/or providing access to a school, park, recreation area, trail system, or shopping area.
83. **Planned Area Development (PAD):** A development with a minimum of 30 but less than 320 acres total all of which must be contiguous, in which flexibility can be sought in the zoning standards, in order to encourage cluster development or more creativity and sustainable design, thereby providing usable open spaces within and about the development and enhancing the residential character of the City. Planned Area Developments shall be subject to Planning Commission review and recommendation and City Council approval.
84. **Plat:** A map that provides for changes in land use or ownership.
- A. **Preliminary Plat:** A tentative map, including supporting data, indicating a proposed subdivision design, prepared by a registered civil engineer, or a registered land surveyor, in accordance with this ordinance and the Arizona Revised Statutes. A preliminary site plan for a condominium development shall be considered a preliminary plat.
- B. **Final Plat:** A final map of all of a subdivision, including supporting data, in substantial conformance to an approved preliminary plat and all stipulations or conditions placed upon it by the Commission or Council, prepared by a registered land surveyor, in accordance with this ordinance and the Arizona Revised Statutes.

- C. **Recorded Plat:** A final plat bearing all certificates of approval required by this ordinance and the Arizona Revised Statutes and duly recorded in the Pinal County Recorder's Office.
- D. **Reversionary Plat:**
  - 1. A plat for the purpose of reverting previously subdivided acreage to unsubdivided acreage, or;
  - 2. A plat for the purpose of vacating rights of way previously dedicated to the public and abandoned under procedures prescribed by the City Code, or;
  - 3. A plat for the purpose of vacating or redescribing lot or parcel boundaries previously recorded.
- 85. **Pre-Application Meeting:** An initial meeting between developer and municipal representatives that affords developer the opportunity to present their proposals informally and discuss the project and address any items of controversy or requirements before the preliminary plat is submitted.
- 86. **Preliminary Approval:** Affirmative action on a preliminary plat, noted upon prints of the plat, indicating that approval of a final plat will be forthcoming upon satisfaction of specified stipulations; and which constitutes authorization to submit final engineering plans and the final plat.
- 87. **Private Access Way:** A private way of access dedicated as a tract to one (1) or more lots or air spaces, which is owned and maintained by an individual or group of individuals and has been improved in accordance with City standards and plans approved by the City Engineer. A private access way is intended to apply where its use is logically consistent with a desire for neighborhood identification and control of access, and where special design concepts may be involved, such as within planned unit developments and condominiums.
- 88. **Protected Development Rights Plan:** A final subdivision plat that meets all the requirements of this ordinance and A.R.S. §9-463.01, and which has been recorded with the County Recorder shall constitute a Protected Development Rights Plan.
- 89. **Recorder:** The Recorder of Pinal County.
- 90. **Right-of-Way:** Any public or private access way required for ingress or egress, including any area required for public use pursuant to any official plan; rights-of-way may consist of fee title dedications or easements.
- 91. **Roadway Easement:** A recorded conveyance to the public over a described area for roadway related uses.
- 92. **Service Easement:** An area provided for in the subdivision design at the rear of retail, commercial or multi-family dwelling use of sufficient size and accessibility to facilitate the provision of necessary services.
- 93. **Sidewalk:** A hard surfaced path, course, route, track, or footway constructed of but

not limited to: concrete, asphalt, decomposed granite or decorative pavers.

94. **Sketch Plan:** A preliminary presentation of a proposed subdivision or site plan of sufficient accuracy to be used for discussion purposes and identification of any items of controversy or issues of concern.
95. **Staging Area:** A staging area is a trailhead specifically designed to accommodate equestrians. It includes areas for horse trailer parking, and facilities for hitching, mounting, and watering horses.
96. **Street, Arterial:** Arterial streets provide a high level of mobility for City-wide through traffic movement and are typically spaced at one-mile or greater intervals, have limited access, and no on-street parking. The locations of arterial streets are designated in the Maricopa General Plan.
97. **Street, Collector:** The collector streets provide mobility and access and link the arterial and local roadways as well as allowing access to adjacent properties.
98. **Street, Cul-De-Sac:** A local street having one end permanently terminated in a vehicular turnaround, or an equally convenient form of turning, and backing areas as may be recommended by the City Engineer.
99. **Street, Frontage:** A local street parallel to an arterial or collector road which intercepts the residential traffic and controls access to the arterial and collector roads.
100. **Street, Local:** Provides for direct access to residential or other abutting land and serve local traffic movement with connections to roadways of higher classification.
101. **Street, Private:** Any road or street that is not publicly owned and maintained providing access to lots or units over a common parcel, primarily by the owners or occupants of the common parcel, and necessary service and emergency vehicles, but from which the public may be excluded.
102. **Subdivider** (*See also Developer*): A person, firm, corporation, partnership, limited liability company, association, syndicate, trust, or other legal entity that files the application and initiates proceedings for a subdivision in accordance with the provisions of this ordinance and statutes of the State of Arizona, except that an individual serving as agent for such legal entity is not a developer; and said developer need not be the owner of the property as defined by this ordinance. The City Council may itself prepare or have prepared a plat for the subdivision of land under municipal ownership.
103. **Subdivision:**
  - A. Improved or unimproved land or lands divided for the purpose of financing, sale, lease, or conveyance whether immediate or future, into four (4) or more lots, tracts or parcels of land; or, if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into two (2) or more parts. "Subdivision" also includes any condominium, cooperative, community apartment,



townhouse, patiohome, or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon.

B. “Subdivision” does not include the following:

1. *The sale or exchange of parcels of land between adjoining property owners if such sale or exchange does not*

*create  
additional  
lots.*

2. *The  
partitioning  
of land in  
accordance  
with other  
statutes  
regulating the  
partitioning*

*of land held  
in common  
ownership.*

3. *The leasing  
of  
apartments,  
offices, stores  
or similar  
space within  
a building or  
trailer park,*

# ***nor to mineral, oil, or gas leases.***

- 104. **Technical Advisory Committee:** The selected group of technically qualified individuals, appointed by the Administrator, made up of City Staff and other public or private agencies and utility company representatives responsible to ensure compliance with City Ordinances, Codes and Standards as they relate to the subdivision process.
- 105. **Technical Review:** The detailed review of proposed preliminary plats, by the Technical Advisory Committee, for compliance with City Codes, Ordinances, Standards, or conditions of approval by the Commission or City Council. Other utilities and public agencies are invited to review the plat as it relates to their conditions of service or need.
- 106. **Time-share Unit** (*See also Condominium*): A right of occupancy in a time-share project, condominium or multiple residence unit, which is owned, occupied, or possessed, under either interval ownership or fractional fee interests as may be determined by the City Council.
- 107. **Tot Lot:** An improved and equipped play area primarily for small children, usually no older than elementary school age.
- 108. **Townhouse:** A building on its own separate lot containing one (1) dwelling unit that occupies space from the ground to the roof, and is attached to one (1) or more other townhouse dwelling units by at least one (1) common wall. Shall also mean patio home.
- 109. **Trail, Multi-Use.** A hard surfaced trail designed for all types of non-motorized use.
- 110. **Trail, Unpaved.** A designated trail designed to accommodate primarily equestrians, off-road bicycles, and pedestrian users.
- 111. **Trailhead.** A trailhead serves as the beginning point of a trail and must be ADA accessible and include parking, trail information and may also include trash receptacles, water, sanitary facilities and shade structures/ramadas.
- 112. **Usable Lot Area:** That portion of a lot usable for, or adaptable to, the normal uses made of property, excluding any areas which may be covered by water, are excessively steep, or are included in certain types of easements. Areas covered by

water shall include areas within the defined flood plain, flood prone areas, or are within the perimeter of a given body of water that will remain after the development is completed.

- 113. **U.S.C.& G.S.:** United States Coast and Geodetic Survey.
- 114. **U.S.A.C.O.E.:** United States Army Corp of Engineering.
- 115. **Utility Services:** Service to the public of water, sewer, gas, electricity, telephone and cable television. The foregoing shall be deemed to include facilities and appurtenances to the above uses but shall not include public utility treatment and generating plants or offices.
- 116. **View Fencing (view fence):** Shall mean fencing that is constructed in such a manner as to achieve eighty (80%) percent overall openness.
- 117. **Watercourse:** Any lake, river, stream, creek, wash, arroyo, or other body of water or channel having banks and bed through which waters flow at least periodically.
- 118. **Water Supply, Assurance (100 Years):** A written statement from the water company, providing water to the subdivision, that states the water supply and flows are adequate and in accordance with City and the Fire Districts requirements and provide evidence that it meets the Arizona Department of Water Resources requirements for a one hundred (100) year assured supply.
- 119. **Workforce Housing:** The base price of the housing is affordable, according to the Federal Department of Housing and Urban Development, for either homeownership or rental, and that it is occupied, reserved, or marketed for occupancy by households with a gross income that is greater than fifty (50%) percent but does not exceed eighty (80%) percent of the median gross household income for households of the same size within the City of Maricopa, as determined by the latest U.S. Census information.
- 120. **Zone:** A district classification established by *The Zoning Ordinance of the City of Maricopa* that limits or permits various and specific uses.
- 121. **Zoning Administrator (Administrator):** The Planning and Economic Development Director for the City of Maricopa or her/his representative.
- 122. **Zoning Clearance:** The approval by the Zoning Administrator of a plan that is in conformance with *the Zoning Ordinance of the City of Maricopa*.
- 123. **Zoning District:** A zoned area in which the same zoning regulations apply throughout the district.
- 124. **Zoning Ordinance:** The Zoning Ordinance of the City of Maricopa.

## **ARTICLE 14-2**

### **ADMINISTRATION**

#### **Section 14-2-1      Responsibility**

- A.**     The Maricopa Planning and Zoning Commission is charged with the duty of reviewing the design and improvements of proposed subdivisions and is hereby authorized to approve, conditionally approve or disapprove preliminary subdivision plats and to designate the kinds, nature and extent of the improvements to be installed in the subdivisions.
- B.**     The City Council for the City of Maricopa is hereby authorized to receive, process and otherwise act upon applications for final subdivision plats, Master Plan Developments (M.P.D.), and Planned Area Developments (P.A.D.) in accordance with this ordinance.
- C.**     The City Council shall have final jurisdiction over all matters pertaining to the implementation of this ordinance.
- D.**     All applications for action under this ordinance shall be filed initially with the Zoning Administrator or her/his designee for processing in accordance with this ordinance.
- E.**     All applications shall be reviewed, from a technical aspect, by the Subdivision Technical Advisory Committee (TAC) which shall act in an advisory capacity to the Planning and Zoning Commission. The TAC shall, at a minimum, consist of the following City Staff and agency members: Zoning Administrator, Planning staff, City Engineer, Parks and Recreation Director, and representatives from the Emergency Services, Irrigation District(s), Water Companies, Sanitary District(s), School District, and utility companies. Additional members may be consulted on an as needed basis for their expertise.

#### **Section 14-2-2      Application**

- A.**     Where this ordinance imposes a greater restriction upon land, land improvement, or development, and land use than is imposed by existing provisions of law, ordinance, contract or deed, this ordinance shall control.
- B.**     This ordinance shall apply to all subdivisions, land splits, and minor land divisions as defined in Section 14-1-6 of this ordinance.

#### **Section 14-2-3      Compliance**

- A.**     No building permit for individual lots within a subdivision, within a lot split, or within a minor land division may be lawfully issued until the Zoning Administrator

or her/his designee has given authorization indicating all requirements of this Subdivision Ordinance, all conditions and stipulations of approval, and any other specific project related requirements have been met.

- B. Except as specifically provided to the contrary in this ordinance, each review and approval required by this ordinance shall be independent of every other review and approval, and no review or approval shall be deemed to waive or satisfy any other requirement set forth herein.

#### **Section 14-2-4 Filing Fees**

The Mayor and City Council of the City of Maricopa may from time to time establish and set by resolution, administrative fees considered necessary to process subdivision applications, and to review improvement plans and construction documents. The developer shall, at the time of filing, pay to the City those established fees. These fees shall be non-refundable.

#### **Section 14-2-5 Prohibition of Circumvention**

- A. No person, firm, corporation or legal entity shall sell, offer to sell, or divide any lot, piece, or parcel of land which constitutes a subdivision, as defined herein, or part thereof without first having recorded a final plat thereof in accordance with this ordinance.
- B. No person, firm, corporation or legal entity shall sell, offer to sell, or divide any lot, piece, or parcel of land that is not within a subdivision but which constitutes a lot split or minor land division, as defined herein, without first obtaining approval by the Zoning Administrator in accordance with this ordinance.
- C. The County Recorder shall not record a plat unless the plat has been approved and signed by the City Council. The City shall not issue any permits for work on any lot, piece or parcel of land which is not a part of a recorded subdivision plat or has not been approved by the Zoning Administrator in accordance with the provisions of this ordinance or in violation of this ordinance.

#### **Section 14-2-6 Modifications**

- A. Where, in the opinion of the Council, and after review by the Zoning Administrator or the Planning and Zoning Commission, there may exist extraordinary conditions of topography, land ownership or adjacent development, or other circumstances not provided for in this ordinance, the Council may modify these provisions in such a manner and to such extent as it may deem appropriate to the public interest.
- B. In the case of a plan and program for a Master Plan Development (M.P.D.) or Planned Area Development (P.A.D.), the Council may modify this ordinance in such manner as appears necessary and desirable to provide adequate space and improvements for the circulation, recreation, light, air, and service needs of the development when fully developed and populated and may require stipulations to assure conformance with the achievement of the approved plan.
- C. **In modifying the standards or requirements of this ordinance, as outlined above, the Council may make such additional requirements as appear necessary, in its judgment, to secure substantially the objectives of the standards or requirements so modified.**

## **Section 14-2-7      Enforcement and Penalties**

### **A.      Enforcement**

1. It shall be the duty of the Zoning Administrator and all officers of the City of Maricopa to enforce all the provisions of these regulations. The Administrator shall examine premises for which permits have been issued, and shall make necessary inspections to assure compliance with the provisions of these regulations. The Administrator shall, when requested by the City Council, or when the interests of the City require, make investigations in connection with any matter referred to in this Subdivision Code. For the purpose of enforcing compliance with law, the Administrator shall issue notices or orders as may be necessary. Any subdivision, land split, minor land division or other use of property in violation of this Subdivision Code shall be prevented or restrained through appropriate action instituted by the City in accordance with ARS Section 9-463.01, 9-240.B28 and 9-240.B29.
2. The Administrator may also take administrative action against violators which may include posting or recording public notices of violations of this Code, and the refusal to accept plats or applications for building permits while violations are occurring or during the pendency of court proceedings on alleged violations.
3. The Administrator may also request that the court issue an injunction



against a violator to prevent further violations or irreparable harm to persons or property when the circumstances warrant it.

**B. Criminal Penalties**

1. Any person, firm, corporation, or other legal entity who violates any provision of this ordinance shall be guilty of a class one (1) misdemeanor, punishable as set forth in this ordinance and state law.
2. Each failure to obtain a required permit, clearance, certification, review, approval or inspection shall constitute a separate violation.

**C. Civil Penalties**

1. Any person, firm, corporation, or other legal entity who violates any provision of this ordinance shall be subject to a civil penalty as an alternative method of enforcing this ordinance.
2. No person shall be subject to a criminal penalty for a violation enforced under the civil penalty provision of this section.
3. The amount of the civil penalty for the violation of this ordinance shall be determined by the City Magistrate, subject, however, to the directions of the City Council which may, but is not required to, establish a schedule of such penalties. Said penalties shall not exceed the amount of one thousand (\$1,000) dollars for an individual or ten thousand (\$10,000) dollars for an enterprise for each offense. Each and every day that a violation of this ordinance is committed, continued or permitted to exist may constitute a separate offense.

4. Any person alleged to be subject to a civil penalty under this section shall be entitled to an administrative hearing regarding their liability and a review of that decision by the City Council if requested in writing within seven (7) days of the decision at the administrative hearing. The administrative hearing shall take place before the City Magistrate, subject to any rules of procedure for the same as may be adopted by the City Council from time to time.
5. The imposition of a civil penalty shall not exempt the offender from compliance with the requirements of these regulations.

#### **Section 14-2-8      Conflicting Provisions**

- A. Where, in any specific case, different sections of this ordinance or any other City ordinance or code specify the use of different standards, different construction or other requirements, the most restrictive shall govern. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall apply.
- B. This ordinance also is not intended to interfere with, abrogate, or annul any private agreements between persons, such as easements, deeds or covenants, except that if this ordinance imposes higher standards or a greater restriction on land, buildings or structures than an otherwise applicable provision of a law, ordinance, or a private agreement, the provisions of this ordinance shall prevail.
- C. Where other private agreements, covenants or restrictions are more restrictive, the City cannot enforce the more restrictive private agreements, covenants or restrictions as a part of this Subdivision Ordinance.

**Section 14-2-9 Severability**

- A.** If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.
- B.** If any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, building, or other structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.

## ***ARTICLE 14-3***

### ***TYPES of SUBDIVISION DEVELOPMENTS***

#### **Section 14-3-1 Rural Residential**

May include detached single dwelling unit, ranching, farming, and agricultural uses within the appropriate zoning district. A rural subdivision may have modified public improvement requirements (i.e. street width, pavement section and sidewalks) with the following standards:

- A. Lot widths of not less than 480 feet and a lot area minimum of 435,600 net square feet (10 acres)
- B. Compliance with all regulations of the Zoning Ordinance shall be required

#### **Section 14-3-2 Estate Residential**

May include single-family residential developments of larger estate lots that are rural in character with much of the open space predominantly provided on the individual lots, small scale ranching operations, and limited agricultural uses within the appropriate zoning districts. An estate subdivision may have modified public improvement requirements (i.e. street width, pavement section and sidewalks) with the following standards:

- A. Lot widths of not less than 330 feet and a lot area minimum of 217,800 net square feet (5 acre)
- B. Lot widths of not less than 165 feet **and a lot area minimum of 87,120 net square feet (2 acres)**
- C. Open space requirements, based on net acres, shall be provided as follows:
  - 1. 0% for subdivisions of 1 - 49 lots
  - 2. 2% for subdivisions of 50 or more lots
- D. Compliance with all regulations of the Zoning Ordinance shall be required

#### **Section 14-3-3 Low Density Residential**

May include semi-rural large lot single-family residential development for detached conventional built dwellings within the appropriate zoning districts. A low density subdivision will have additional public improvements (i.e. street widths and sidewalks) and more public open space requirements with the following standards:

- A. Lot widths of not less than 145 feet and a lot area minimum of 54,000 net **square feet**
  - B. Lot widths of not less than 120 feet and a lot **area minimum of 20,000 net square feet**
  - C. Open space requirements, based on net acres, shall be provided as follows:
    - 1. 0% for subdivisions with 1 - 49 lots; each a minimum of 54,000 **square feet**
    - 2. 2% for subdivisions with 50 or more lots; each a minimum of 54,000 **square feet**
    - 3. 10% for subdivisions with 1 - 49 lots; each a minimum of 20,000 square feet
    - 4. 12% for subdivisions with 50 or more lots each; a minimum of 20,000 square feet
  - D. Compliance with all regulations of the Zoning Ordinance shall be required
- Section 14-3-4 Medium Density Residential**

A typical single-family residential development of small lots for detached conventional built dwellings within the appropriate zoning districts. The urban density and traffic volumes will require increased public improvements and greater public open space; with the following standards:

- A. Lot widths of not less than 115 feet and a lot area minimum of 15,000 net square feet  
Lot widths of not less than 100 feet and a lot area minimum of 12,000 net square feet  
Lot widths of not less than 80 feet and a lot area minimum of 9,000 net square feet  
Lot widths of not less than 60 feet and a lot area minimum of 7,000 net square feet
- B. Open space requirements, based on net acres, shall be provided as follows:
  - 1. 15% for subdivisions with 1 - 99 lots; each a minimum of 12,000 square feet
  - 2. 17% for subdivisions with 100 or more lots; each a minimum of 12,000 square feet
  - 3. 20% for subdivisions with 1 - 99 lots; each a minimum of 7,000 square feet

- 4. 22% for subdivisions with 100 or more lots; each a minimum of 7,000 square feet
- C. Compliance with all regulations of the Zoning Ordinance shall be required

### **Section 14-3-5 High Density Residential**

Attached and multiple family residential development, cluster development, and mixed use developments as part of an approved P.A.D. in locations that are suitable and appropriate taking into consideration adjacent land uses, existing conditions, future land use needs and availability of utilities. The urban density and traffic volumes will require increased public improvements and greater public open space with the following standards:

- A. Lot widths of not less than 60 feet and a lot area minimum of 7,000 **net square feet**
- B. Open space equivalent to 20% of the net acres for detached products  
Open Space equivalent to 100% of 1<sup>st</sup> floor total floor area and 50% of the 3<sup>rd</sup> floor total floor area for attached products.
- C. Compliance with all regulations of the Zoning Ordinance shall be required

### **Section 14-3-6 Master Plan Development (M.P.D.) and Planned Area Development (P.A.D.)**

- A. **Master Plan Development** - Shall be mandatory for developments of 320 or more acres and shall contain a mixture of residential zoning districts (a minimum of 3 distinct districts) and may contain neighborhood commercial that supports the daily needs of the neighborhood. Larger scale community commercial may be permitted in locations that are suitable and appropriate

taking into consideration the relation to major transportation corridors, adjacent land uses, size and scale of development, and availability of utilities.

1. The overall project density, land uses, general site layout, master plans, and project phasing shall be determined through the M.P.D. rezoning process.
2. Open space requirements, based on net acres, shall be determined through the M.P.D. zoning process and is based on the overall project density, as outlined in **Table 1** of Article 14-5. Each parcel within the M.P.D. shall contain open space and contribute to the overall open space requirement.
3. Buffering of adjacent land uses shall be required
4. Compliance with the additional provisions for M.P.D. developments as outlined in Article 14-5 of this Ordinance

**B. Planned Area Development (Residential)** - A residential development, a minimum of 30 but less than 320 acres in size, designed to accommodate a mixture of residential land uses ranging in density from single family dwellings to multiple family dwellings including condominiums, patio homes and cluster developments through creative site design, design innovation, diversity of lot sizes and product styles.

1. The overall project density, land uses, site design and development standards shall be determined through the P.A.D. rezoning process
2. Open space requirements, based on net acres, shall be determined through the P.A.D. zoning process and is based on the overall project density as outlined in **Table 1** of Article 14-5. Each parcel within a P.A.D. shall contain open space and contribute to the overall open space requirement
3. Buffering of adjacent land uses shall be required
4. Compliance with the additional provisions for P.A.D. developments as outlined in Article 14-5 of this Ordinance

**Section 14-3-7 Commercial Development**

Commercial development as a conventional subdivision or as part of an approved M.P.D. in locations that are suitable and appropriate taking into consideration adjacent land uses, size and scale of development, traffic and availability of utilities.

- A. Lot widths of not less than 100 feet and a lot area minimum of 10,000 net square feet
- B. Open space requirements, based on net acres, shall be provided as follows:
  - 1. 10% for subdivisions 20 acres or less in size
  - 2. 15% for subdivisions greater than 20 acres in size
- C. Compliance with all regulations of the Zoning Ordinance shall be required

#### **Section 14-3-8 Industrial Development**

Industrial development in locations that are suitable and appropriate taking into consideration adjacent land uses, the availability of utilities, and which provide for large scale developments and/or individual industrial development with the following standards:

- A. Lot widths of not less than 150 feet and a lot area minimum of 43,560 net square feet
- B. Open space requirements, based on net acres, shall be provided as follows:
  - 1. 10% for subdivisions 100 acres or less in size
  - 2. 15% for subdivisions greater than 100 acres in size
- C. Compliance with all regulations of the Zoning Ordinance shall be required



## ***ARTICLE 14-4 PLATTING PROCEDURES and REQUIREMENTS***

### **Section 14-4-1      Outline of Procedures and Requirements**

- A.      The preparation, submittal, review, and approval of all subdivision plats located inside the jurisdictional boundaries of the City of Maricopa shall proceed through the following progressive stages.

**Stage 1: Pre-Application Meeting**

**Stage 2: Preliminary Plat Application**

**Stage 3: Technical Advisor Committee**

**Stage 4: Preliminary Plat Approval**

**Stage 5: Final Plat and Improvement Plan Approval**

**Stage 6: Recordation of Final Plat**

- B.      If a submittal is determined to be incomplete or inaccurate at/or during any of the different stages of the process the developer shall be required to correct the inaccuracy and/or produce the omitted information before proceeding any further through the process.

### **Section 14-4-2      Stage 1: Pre-Application Meeting**

This stage affords the developer the opportunity to obtain advice and assistance by informally providing a cursory review of the proposed subdivision with the appropriate city departments prior to the expense of a preliminary plat preparation. It also allows the City the opportunity to give informal guidance at a time when potential points of conflict can be most easily resolved, subsequent relations improved, official action simplified, and undue expense and delay saved by the developer.

A.      **Actions by the Developer**

1.      The developer shall schedule a mandatory “Pre-application Meeting” with the Planning & Economic Development Department and Engineering Department staff. When scheduling the mandatory pre-application meeting, the developer shall submit a “Sketch Plan” for staff to review in

preparation for the pre-application meeting (see City of Maricopa Submittal Requirement Checklist for specific number of sets or copies).

2. The “Sketch Plan” shall be printed on 24” x 36”, blue line or black line. The sketch plan shall include at a minimum the following information:
  - a. Location map
  - b. Scale drawing and north arrow
  - c. Location of all public arterial and collector streets
  - d. Acreage and land uses of all parcels
  - e. Conceptual lot configuration
  - f. Conceptual roadway layout and street design
  - g. Table of land use data including: gross and net acres; percent of total acreage in each land use category; existing zoning; proposed zoning; and tentative lot sizes
  - h. Preliminary topography with one (1) foot contour intervals along with the F.E.M.A. information overlaid
  - i. Surrounding and adjacent land uses
  - j. Conceptual open space plan
3. Tentative proposals regarding water supply, sewage disposal, and surface drainage shall be indicated.

**B. Actions by the City**

1. Depending on the scope of the proposed development, the City may ask for additional copies to distribute to other city departments and outside agencies.
2. The City shall discuss the proposal with the developer in general terms and provide advice on procedural steps, design and improvement standards, and general platting requirements.
3. Check the existing zoning of the proposed development and advise the developer if a zoning change or a General Plan Amendment is necessary or desirable. Review the proposal and its relationship to adjacent land uses and the General Plan’s goals and objectives. Determine the amount and type of parks, open space or other public facility needs for the area as determined by the Maricopa General Plan; to then determine what space needs shall be reserved or set aside with any special requirements for such site. Review for compliance with these Subdivision Ordinance regulations and any other applicable regulations.
4. Determine if the size or the complexity of the proposed development would warrant the preparation of either a Master Planned Development (MPD), or a Planned Area Development (PAD). If either a M.P.D. or a P.A.D. is required such shall be processed prior to subsequent consideration of a preliminary plat.
5. If a General Plan Amendment is required such amendment must be obtained prior to additional processing of the application.

6. Inspect the site and review the relationship of the property to major streets, utility systems and adjacent land uses and determine any unusual problems such as utilities, drainage or flooding. Determine street width and right-of-way requirements, intersection relationships and other traffic control related characteristics. Identify possible off-site public improvements and dedications. Review the wastewater disposal system.
7. Help the developer determine the providers of water, sewer, electricity, gas, telephone, cable and refuse.
8. Provide the developer with the necessary City application forms, review the submittal requirements, and discuss tentative timetables for the project.

## **Section 14-4-3      Stage 2: Preliminary Plat Application**

The preliminary plat stage of land and airspace subdivision includes detailed planning, submittal, review, and approval of the preliminary plat. This stage is intended to resolve all major issues pertinent to the land development according to the City's policies, standards, codes, and requirements. To avoid delay in processing the application, the developer shall provide the City with all information essential, as determined by the City, regarding the character and general acceptability of the proposed development.

### **A.      Submittal Requirements**

The required information shall be bound, shown graphically, by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale which shall not be less than 1"=100', adjusted to produce an overall drawing measuring 24" x 36" and in conformance with requirements contained in this Ordinance and by the City Engineer and other reviewing departments and agencies. Refer to the City of Maricopa Submittal Requirement Checklist for the specific number of sets or copies required to be submitted. The following information is required as part of the preliminary plat submittal:

1. The proposed preliminary plat, electronic copy of the preliminary plat and 8½"X11"PMT of the preliminary plat along with all other required supporting data prepared in accordance with requirements set forth in this Article shall be filed with the Zoning Administrator. Submission shall include fees as required in Article 14-2-4 of this Ordinance. Copies of the preliminary plat shall be reproduced in the form of blue line or black line prints on a white background. Scheduling of the case for the Technical

Advisory Committee (TAC) meeting shall be dependent upon adequacy of data presented and completion of processing.

2. If the proposed preliminary plat is within an approved M.P.D. or P.A.D., copies of the approved M.P.D. or P.A.D. site plan and the conditions/stipulations shall also be submitted as supporting documentation.
3. All subdivision submittals shall provide “Identification and Descriptive Data”, “Existing Conditions Data”, “Proposed Conditions Data”, “Proposed Utility Methods”, and “Environmental Assessment Report” information by graphic representation or note as further outlined in the following sub-sections. The submittal shall be checked by the City for completeness and assigned a case number; if incomplete as to those requirements set forth in this section, the submittal shall be rejected and the developer notified within fifteen (15) days of the date the application was received.
4. If the developer is planning to plat the proposed development in phases it must be so indicated on their preliminary plat when submitted for Technical Advisory Review. If the developer later decides to phase the development, it will be necessary to re-submit for a second review.
5. The Preliminary Drainage Report in a separate bound folder. See Article 14-7, Sec 14-7-3 (D)(1) for more specific details.
6. The Traffic Impact Analysis in a separate bound folder. See Article 14-7, Sec 14-7-3 (D)(4) for more specific details.
7. The Preliminary Geotechnical/Soils Report in a separate bound folder. See Article 14-7, Sec 14-7-3(D)(3) for more specific details.
8. Submit a Lot Statistical Table.
9. The Preliminary Landscape, Recreation, and Open Space Plan for all off-site, open space, trails, retention area, and landscaping. See Article 14-7, Sec. 14-7-3(C)(1) for more specific details.
10. The subdivision fencing detail, if applicable, depicting the type of fencing being proposed; including elevations, and general locations.
11. The conceptual “Residential Design Guidelines” shall provide both a narrative and graphical description of the character, site planning, architecture and landscaping that can be expected from the development. If the subdivision is a conventional subdivision that proposes to use standard plans then copies of the proposed elevations and floor plans shall be submitted.
12. Documentation that a site records check, for potential cultural resources, has been conducted in conjunction with the State Historic Preservation Office.

13. The A.L.T.A. Survey.
14. The subdivision closure calculations in both print and electronic format.
15. A Title Report that is not more than sixty (60) days old.
16. A draft copy of the Covenants, Conditions and Restrictions (CC&R's) for the subdivision.
17. A letter from the owner giving authorization to process the application for the subdivision if the owner is not the applicant.
18. A "will serve" letter from the respective utility companies proposed to serve the subdivision.

**B. Identification and Descriptive Data**

1. The proposed name of the subdivision shall be clearly indicated (which shall be retained through Final Plat and include phasing designations) and include the location by Section, Township and Range with reference by dimension and bearing to two (2) Section or 1/4 Section Corners. Basis of bearings must be stated on the plat.
2. Name, address, phone number, and seal of Registered Land Surveyor preparing the preliminary plat and the Registered Civil Engineer preparing the improvements.
3. Name, address, and phone number of developer.
4. Scale, north point (pointing up or to the right), and date of preparation including any subsequent revision dates.
5. Location map which shall show the relationship of the proposed subdivision to arterial and collector streets.
6. A surveyed boundary, including distances, lengths and bearings and the total size of the proposed subdivision.

**C. Existing Conditions Data**

1. Topography by contours and "spot elevations" on City datum and related to USGS survey datum shown on the same map as the proposed subdivision layout. Contour intervals shall be one (1) foot and shall be shown extending a minimum of fifty (50) feet from the external boundaries of the proposed development so to adequately reflect the character and drainage of the land.
2. Location of fences, existing structures, wells, canals, irrigation materials, private ditches (open or covered), washes, stock ponds or other water features and characteristics that could have a bearing on the review.

3. Location, direction of flow, and extent of areas subject to flooding or storm runoff must be defined (FEMA data and any Federal Clean Water Act, Section 404 designation), whether such inundation is frequent, periodic, or occasional.
4. Show all driveways, streets and median openings within 325 feet of any proposed driveway or street intersection on the opposite side of the perimeter streets.
5. Name, book, and page numbers of any recorded subdivision adjacent to or having common boundaries with the proposed development.
6. The existing base zone of the subject and adjacent parcel(s), the zoning case number, if any, and the case number of the approved M.P.D. or approved P.A.D. of which the proposed development is a part of if applicable.
7. The gross acreage of the subject parcel(s). Do not include previously dedicated rights-of-way in this figure.
8. Boundaries and dimensions of the parcel(s) to be subdivided shall be fully dimensioned.

9. ***Engineers'***  
***calculations for***  
***each tributary***  
***area of the***  
***runoff for 10***  
***year and 100***

*year frequency storms. The values to be indicated along the boundary of the parcel for all points of drainage entering and exiting the property.*

D. Proposed Conditions Data

1. Street layout, including design cross section, preliminary curve data, curve

lengths, proposed street names based on existing projected alignments wherever possible, and pedestrian connections to adjoining developments.

2. Typical lot dimensions (scaled), dimensions of all corner lots, lots on curvilinear sections of streets, and all lots where the number of sides exceed four (4). Each lot shall be numbered individually and the total number of lots or dwelling units provided. Where plats will consist of a number of units/phases, utilizing the same subdivision name, the lot numbering shall be consecutive through the total number of lots or units.
3. Designation of all land to be dedicated or reserved for open space, parks, schools, well sites, or other public or private use with use indicated.
4. If multiple uses are planned (multiple residential, commercial, industrial, or office) such areas shall be clearly designated together with existing zoning classification and status of zoning change, if any.
5. Show minimum setback lines. Where there are lots with more than four (4) sides or whose shape may be considered atypical, show all setbacks.
6. Proposed storm water disposal system, preliminary calculations, and layout of proposed drainage system. The direction of proposed street drainage to be indicated by arrows on the plat; the 100-year flood plain delineation and a proposal to provide for the retention of storm water generated on the property. Retention and detention of storm water to comply with the City of Maricopa Standards.
7. Compliance with rules as may be established by the State Department of Environmental Quality and/or State Department of Water Resources relating to the provision of domestic water supply and sanitary sewage disposal.

**E. Proposed Utility Methods**

1. **Sewage Disposal** - A statement as to the method for sanitary sewage disposal for the development shall appear on the preliminary plat. The plat shall also show the preliminary sewer layout indicating line sizes, manholes, direction of flow, and cleanout locations. If the sewer provider designated for the area of the development is not being used, a letter from the provider approving the use of an alternative system is required.
2. **Water Supply** - A statement as to the assured water supply for the development shall appear on the preliminary plat. The preliminary layout of the water system shall be shown, indicating fire hydrants, valves, meter vaults, water line sizes and locations.
3. **Electric Supply** - A statement as to the electric supply for the development shall appear on the preliminary plat. Any necessary easements shall be shown on the preliminary plat.



4. **Gas Supply** - A statement as to the gas supply for the development shall appear on the preliminary plat. Any necessary easements shall be shown on the preliminary plat.
5. **Telecommunications Service** - A statement as to the telephone and/or cable service for the development shall appear on the preliminary plat. Any necessary easements shall be shown on the preliminary plat.
6. **Refuse Service** - A statement as to the garbage service for the development shall appear on the preliminary plat.

**F. Environmental Assessment Data**

The purpose of the Environmental Site Assessment is to provide a written and graphic analysis of the environmental characteristics of the site so that the City of Maricopa can evaluate the future use of the site. The "Phase 1 Environmental Report" will identify any hazardous waste site within the proposed subdivision. Environmental site assessments are required for all preliminary plat applications. This study shall include written reports and maps that provide the information outlined below:

1. The "Phase 1 Environmental Report" shall:
  - a. Describe the site and identify uses or activities which might indicate the presence of disposed hazardous substances, and;
  - b. Be prepared through the review of readily available information, including but not limited to engineering, regulatory, and historical records of the site, and through the interviewing of the current and any past owners of the site, tenants and neighbors, and;
  - c. Be prepared through the review of the regional geology and hydrology of the site and the site's vicinity, available records of groundwater contamination up/and down gradient from the site, obtainable reports of compliance violations and/or containment discharges in the site's vicinity, and the proximity of the site to known environmental conditions or problems within approximately one mile of the site, and;
  - d. Reference the data, records and source of information.
2. The Developer's Consultant shall:
  - a. Manually-observe the site surface closely for evidence of potential contamination such as soil stabilizing, discarded chemical containers, vegetative distress, and;
  - b. Interview the tenants on or adjacent to the site with respect to their use of hazardous substances on the site, and;
  - c. Investigate the registration status of any existing underground storage tanks or drywells on or adjacent to the site, and;

- d. Identify any adverse environmental impacts.

#### **Section 14-4-4 Stage 3: Technical Advisory Committee**

In order for a preliminary plat to be scheduled for a particular Technical Advisory Committee (TAC) meeting, a complete preliminary plat application must be received and accepted by the City.

- A. Upon receipt of a preliminary plat application the City shall determine if the application is a complete submittal. If complete, the City shall forward copies of the preliminary plat to the appropriate reviewing agencies and entities for their review and comments. These reviewing agencies shall transmit their written comments and recommendations to the City.
- B. The City shall host a Technical Advisory Committee (T.A.C.) meeting where the developer is provided an opportunity to meet with the representatives from all applicable utilities and other interested governmental agencies to receive comments regarding the preliminary plat application. At this meeting the applicant may also receive written comments from the City, detailing the extent to which the plans are required to be revised in order for the City to schedule the preliminary plat for consideration by the Planning and Zoning Commission. Extensive revisions caused by the comments received at the T.A.C. meeting or by voluntary action of the developer, may require additional T.A.C. meetings. Additionally, circumstances may exist where the project may experience delay due to the developer's time line in addressing agency comments.

#### **Section 14-4-5 Stage 4: Preliminary Plat Approval**

The preliminary plat approval stage involves the re-submission of the preliminary plat to address the T.A.C. comments. Included in this stage is the review of the resubmitted plans, reports, and required studies and acceptance of the preliminary plat. The developer shall provide the City with all information essential to determine the character and general acceptability of the proposed development.

##### **A. Preliminary Plat Re-submission**

- 1. The developer shall resubmit full-sized copies/sets of the preliminary plat and a 8½" x 11" photo mechanical transfer (PMT) of each sheet/exhibit and all other required or requested supporting data to the City (see the City of Maricopa Submittal Requirement Checklist for the specific number of sets or copies). Preliminary plats that correctly contain all of the information requested or required by the T.A.C., as determined by the City, shall be scheduled for Planning and Zoning Commission hearing. Incomplete or incorrect re-submittals could cause delays in a preliminary plat being presented to the Planning and Zoning Commission. Scheduling of the case for Commission hearing shall be determined by the Zoning Administrator and shall be dependent upon adequacy of data presented, completion of processing, and other legalities that may be required if the

subdivision involves rezoning, M.P.D, P.A.D and other land use exceptions.

2. Upon scheduling of the Planning and Zoning hearing the applicant shall submit 11”X17” size paper copies of the plat (see the City of Maricopa Submittal Requirement Checklist for the specific number of sets or copies).
3. As a prerequisite to the Commission hearing for any preliminary plat, M.P.D, or P.A.D. a neighborhood meeting may be required to be conducted by the developer; if determined by the Zoning Administrator to be necessary. The purpose of the meeting is to provide information to the adjacent property owners and citizens. The applicant shall notify all landowners, adjoining or adjacent to, the boundaries of the proposed development, the City of Maricopa, and any Neighborhood Associations on record with the City by first class mail no less than 30 days prior to the scheduled Commission meeting. The developer shall submit documentation of the attendees and minutes of the meeting(s) to the Zoning Administrator. All meeting(s) shall be held within the City of Maricopa corporate limits.
4. An applicant has ninety (90) days from the date of the T.A.C. meeting, or ninety (90) days from the date of receipt of later redlines, in which to resubmit said plans. Failure to resubmit plans which address all of the T.A.C. comments, or subsequent redline comments, within ninety (90) days of the T.A.C. meeting or ninety (90) days from the receipt of later redlines shall cause the application to be null and void and fees will not be refunded.
5. An applicant shall be required to submit a new preliminary plat application, including fees and another review of the subdivision by the T.A.C. if the re-submittal is not in substantial conformance to the original application. Substantial non-conformance is considered to be, but not limited to, the following:
  - a. An increase in the number of lots or units.
  - b. A change in the size or configuration of the development parcel.

**B. Preliminary Plat Review**

1. **Zoning** - The subdivision shall be designed to meet the specific requirements for the zoning district within which it is located. However, in the event that rezoning is necessary for the preliminary plat to conform with the Zoning District regulations, or if a M.P.D. or P.A.D. approval is sought, said action shall be initiated concurrently with the preliminary plat by the property owner or his authorized agent. In any event, any such zoning amendment required in relation to the preliminary plat shall have been adopted prior to a preliminary plat approval.
2. **Planning** - The subdivision shall be designed to comply with the Design Standards of this Ordinance and the goals and objectives of the Maricopa General Plan. In the event that an amendment to the General Plan is necessary for the preliminary plat to conform with the specific land use, circulation, or open space elements, said amendment(s) required in relation

3. **Utilities and Services** - As a prerequisite of preliminary plat approval by the City, the developer shall have reviewed tentative concepts with but not limited to, Pinal County Environmental Health Department, the Arizona Department of Environmental Quality (ADEQ), the Arizona Department of Water Resources (ADWR), appropriate city departments, Maricopa Fire District, and the public utility companies that serve the area proposed for development. The developer shall have “will serve letters” from the water and sanitary sewer providers, and the electric, gas, and telecommunications companies servicing the development and general approval of the preliminary design to be used.

**C. Preliminary Plat Approval**

4. When all requirements of this Ordinance have been satisfied the case will be scheduled for a Commission “preview meeting” in which no action is taken by the Commission rather the public is simply informed about the project and allowed to ask questions and voice concerns.
5. After the Commission preview meeting the preliminary plat will be scheduled for a Commission hearing. The Planning & Economic Development Department report shall be submitted for Commission review and action.
6. The Commission shall consider the preliminary plat, T.A.C. comments, and the Planning & Economic Development Department report and recommendations. If satisfied that all objectives have been met, the Commission may approve the preliminary plat and make a notation of the Commission’s approval on the copy of the preliminary plat retained in the office of the Zoning Administrator.
7. If the plat is generally acceptable, but requires minor revisions, the Commission may conditionally approve the preliminary plat and the required revisions noted in the minutes of the meeting. At the direction of the Commission, the Zoning Administrator may approve the preliminary plat when it has been satisfactorily revised in accordance with the stated conditions.
8. If the Commission finds that all of the objectives and requirements of this Ordinance have not been met, the Commission may continue the preliminary plat pending revisions, or deny of the preliminary plat. Resubmittals due to revisions, for the same parcel or any part thereof, shall follow the aforementioned procedure.

**D. Significance of Preliminary Approval**

Preliminary plat approval constitutes authorization for the developer to proceed with preparation of the final plat and the improvement plans and specifications for public improvements. Preliminary plat approval **does not** authorize the developer to cut roads or other easements, begin site preparation and grading, or any similar such work **unless authorized in writing** by the City. Preliminary approval is based on the following terms:

1. **Subject to the Basic Approval** - The basic conditions under which preliminary approval of the preliminary plat is granted will not be substantially changed prior to the expiration date.
2. **One (1) Year Approval** - Approval of the preliminary plat is valid for a period of twelve (12) months from the date of Commission approval. An extension of the preliminary plat approval may be granted for an additional six (6) months upon reapplication and review by the Commission. Approval of a preliminary plat for a Planned Area Development (P.A.D.), approved by the City of Maricopa, shall be effective for two (2) years in accordance with an approved phasing plan, but may be extended upon reapplication and review by the Commission.
3. **No Authority to Record** - Preliminary approval, in itself, does not assure final acceptance of streets for dedication nor continuation of existing zoning requirements for the development or its environs nor constitute authorization to record the plat.

#### **Section 14-4-6      Stage 5: Final Plat and Improvement Plan Approval**

This stage includes the final design of the subdivision, engineering of public improvements, and submittal by the developer of the final plat, final reports, and plans for all of the required subdivision improvements, to the City, the State and County Departments, and the utility companies for approval; including the submittal of the final plat for review and action by the City Council.

##### **A.      Submittal Requirements**

1. **Final Plat Preparation**
  - a. Presentation - The final plat shall be presented in accordance with requirements set forth in this section, and shall substantially conform to the approved preliminary plat and applicable zoning stipulations.
  - b. Zoning - The final plat shall meet all requirements of the zoning district in which it is located; and necessary zoning amendments shall have been adopted by the City Council prior to filing the final plat with the Zoning Administrator.
  - c. Pre-Final Review - The developer shall file full size (24"x36") blue

or black line copies of the final plat with the City who in turn will distribute copies to the various reviewing agencies (see the City of Maricopa Submittal Requirement Checklist for the specific number of copies). The reviewing agencies shall make known their recommendations in writing. The City shall review the plat for substantial conformity to the approved preliminary plat.

- d. **Final Plat Submission** - The developer shall file with the City the full size “mylars”, full size blue or black line copies, 11”x 17” P.M.T. and required copies of the Final Plat and final landscape, recreation and open space plans (see the City of Maricopa Submittal Requirement Checklist for the specific number of sets or copies). The final plat shall be drawn in black ink on polyester “mylar”, measuring exactly 24” x 36” with a left hand margin of two (2”) inches and be drawn to an accurate engineering scale from an accurate survey. The developer shall also submit an electronic copy of the final plat in a file format (.DWG) as required by the City of Maricopa.
2. **Improvement Plans & Reports** - Improvement plans and reports shall be submitted in accordance with the procedures and standards established in Article 14-7 of this Ordinance. Complete sets of improvement plans shall be submitted to the City (see the City of Maricopa Submittal Requirement Checklist for the specific number of sets or copies). If the submittal is complete, the City shall distribute sets of the plans to the appropriate reviewing departments, agencies and utility companies who shall make known their recommendations in writing.
3. **Covenants, Conditions & Restrictions (Deed Restrictions)** - The subdivision deed restrictions shall be submitted to the City for review as part of the final plat and improvement plan submittal package.
4. **Title Report** - The developer shall, at the time of filing the application(s) for the final plat and improvement plans, submit an American Land Title Association (A.L.T.A.) Title Report, not more than sixty (60) days old, certifying that the developer has title, acceptable to the City Attorney, for all of the land being subdivided.
5. **Filing Fees** - The developer shall, at the time of filing the application(s) for the final plat and improvement plans, pay the City the final plat application fee, improvement plan review fee, and the recordation fee, in accordance with Article 14-2 of this Ordinance, which are established by the City Council.
- B. **Identification Data** - The following identification data shall be required as a part of the final plat submittal.
  1. A title, which includes the name of the subdivision and its location by number of Section, Township, Range, and County.
  2. Name, address and seal of the Arizona-Registered Land Surveyor preparing the final plat.

3. Scale, north arrow, and date of plat preparation.
4. The name, address and telephone number of the property owner.

**C. Survey Data** - The following survey data shall be required as a part of the final plat submittal.

1. The corners of the plat shall be located on the monument lines of abutting streets; boundaries of the parcel(s) to be subdivided fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field. The surveyor of record shall also provide a copy of the computer closure, properly stamped and signed showing registration number. All dimensions shall be expressed in feet and decimals thereof.
2. Any excepted parcel(s) within or surrounded by the plat boundaries shall be noted as "Not a Part of This Subdivision" and show all bearings and distances of the excepted parcel as determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.
3. Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced. Each of two (2) separate corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter-section corners. The Certifying Land Surveyor shall submit subdivision boundary and lot closure and area calculations to the City.
4. Location of all physical encroachments upon the boundaries of the tract.
5. Total subdivision gross acres.

6. ***Total number  
of lots and  
parcels, and the  
size, in square***

*feet, of each lot or parcel. The size of lots or parcels greater than ten acres in size may be expressed in acres.*

**D. Descriptive Data** - The following descriptive data shall be required as part of the final plat submittal.

1. Names, centerlines, right of way lines, courses, length and width of all public streets, alleys, pedestrian ways, and utility easements; radii, point of tangency, curve lengths, and central angles of all curvilinear streets, and alleys, radii of all rounded street line intersections.
2. All drainage easements shall be shown on the plat. No structure will be allowed in the easements that will obstruct drainage. The rights-of-way of all major drainage ways shall be dedicated drainage easements or right-of-way as determined by the City Engineer.
3. All lots shall be numbered by consecutive numbers throughout the plat. All "tracts" and "parcels" shall be designated, lettered, or named and clearly dimensioned; parcels which are not part of the subdivision shall be so



designated. Ownership and maintenance responsibility for open space and common open space areas shall be indicated on the plat.

4. Location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public with the use clearly indicated.
5. Location of all adjoining subdivisions with name, date, book, and page number of recordation noted, or if unrecorded, so noted.
6. Any proposed private deed restrictions to be imposed upon the plat or any part or parts thereof pertaining to the intended use of the land, and to be recognized by the City, shall be noted on the plat (see Sec.14-4-6 (F) for details).
7. All existing private easements within, on, or over the plat shall be indicated, dimensioned, and noted as to their use. The location and widths of all easements for right-of-way provided for public services, utilities, or drainage, and any limitations of the easements.
  - a. The following notation shall be placed on all final plats which provide drainage easements: “No structure of any kind shall be constructed or any inappropriate vegetation be planted nor be allowed to grow within, on or over the drainage easement, which would obstruct or divert the flow of storm water. The City may, if it so desires, construct and/or maintain drainage facilities on or under the land of the easement”.

**E. Dedication and Acknowledgement**

1. **Dedication** - There shall be required as part of the final plat submittal a statement of dedication of all streets, alleys, drainage detention/retention basins and drainage ways, pedestrian/bicycle ways, equestrian trails and easements, and other easements for public use, including sanitation, utility, fire and other emergency related vehicles, executed by the person or persons holding title of record, by persons holding titles as vendees under land contract, by the spouse(s) of said parties, lien holders and all other parties having an interest in the property. If lands dedicated are encumbered with liens, the lien holder shall also sign the plat. Dedication shall include a written location by Section, Township and Range, of the tract. If the plat contains private streets, a public easement shall be reserved which shall include the right to install and maintain utilities in any approved private street, including refuse collection, fire and other emergency services.
2. **Acknowledgment of Dedication** - Execution of dedication shall be acknowledged and certified by a Notary Public.

**F. Required Certification, Signatures, and Notes** - Multiple notations are required to appear on a final plat. The notations that are standard on every final plat include, but are not limited to, the following:

1. Assurance Statement, as follows:

*Title, Authority and Definitions*

**Assurance Statement:**

Assurance in the form of a \_\_\_\_\_, issued from \_\_\_\_\_ in the amount of \$\_\_\_\_\_ has been deposited with the City Engineer to guarantee construction of the required subdivision improvements.

2. Notary Acknowledgment Statement as follows:

**Notary Acknowledgment:** State of Arizona )  
County of Pinal )

On this, the \_\_\_\_ day of \_\_\_\_\_, (year), before me the undersigned (title) personally appeared (Name) who acknowledges that he/she executed the foregoing instrument for the purposes contained therein.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires

3. **Conveyance** and Dedication Statements, as follows:

**Conveyance and Dedication:**

Know all men by these presents that (owner's name), as owner, have subdivided (or re-subdivided) under the name of (name of subdivision), (add Section, Township and Range) of the Gila and Salt River Base and Meridian, Pinal County, Arizona as shown platted hereon, and hereby publishes this plat as and for the plat of said (subdivision name), and hereby declares that said plat sets forth the location and gives the dimensions of all lots, easements, tracts and streets constituting the same, and that each lot, tract and street shall be known by the number, letter and name given each respectively, and that (owner's name), as owner, hereby dedicates to the public for use as such the streets and hereby grants to the public the drainage and public utility easements as shown on said plat. In witness (owner's name), as owner, has hereunto caused its name to be signed and the same to be attested by the signature of (owner or designated signatory and title).

By: \_\_\_\_\_

\_\_\_\_\_  
Date:

Owner's Name and Title

4. Certificate of Assured Water Supply as follows:

**Assured Water Supply:**

The Arizona Department of Water Resources has granted a Certificate of Assured Water Supply, DWR File No. \_\_\_\_\_, for the subdivision in accordance with Section 45-576 of the Arizona Revised

**Title, Authority and Definitions**

5. Provisions for sanitary sewer service, as follows:

**Sanitary Sewer:**

The \_\_\_\_\_ has/has not agreed to serve this subdivision, and has/has not agreed to allow the subdivision to use an alternative sewage disposal method.

By: \_\_\_\_\_  
(Title)

6. City Approval Signature Blocks as follows:

City Council Approval:

Approval by the City Council of Maricopa, Arizona, this \_\_\_\_day of \_\_\_\_,  
(year)

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Mayor City Clerk

City Department Approvals:

This plat was approved by the City Engineer and the Zoning Administrator.

By: \_\_\_\_\_ date: \_\_\_\_\_  
City Engineer

By: \_\_\_\_\_ date: \_\_\_\_\_

7. Surveyors Certification as Follows:

Surveyors Certification:

***This is to  
certify the***

8. Covenants, Conditions & Restrictions (Deed Restriction) information as follows:

Covenants, Codes and Restrictions for (name of subdivision) Maricopa, Arizona are recorded in (document recording number) , Pinal County Records

9. Typical Notes as Follows:

**Notes:**

- X benchmark information.  
X basis of bearing information.  
X Animal Odor disclosure (if applicable).

10. Pinal County Recorder Signature Block (must be on every page) as follows:

County Seal	State of Arizona
	County of Pinal
	I hereby certify that the within instrument is filed in the official records of this County in Cabinet___ Slide ___
	Date: _____
	Request of: <u>City of Maricopa</u>
	Witness my hand and official seal.
	(County Recorders name) Pinal County Recorder
	By: _____ Deputy

**G. Final Plat Approval**

1. Upon approval of the improvement plans and final reports; letters from all involved utility companies approving the utility installation plans and confirming the availability of services; all required certifications from State and County agencies; and receipt of a request for City Council action from the City Engineer; the City Clerk shall place the plat on the agenda of a Council meeting, where upon the City Council shall approve or deny the plat.
2. If the City Council approves the plat, the Mayor shall sign the plat and the City Clerk shall attest the Mayor's signature.
3. When the certificate of approval by the City Council has been transcribed on the plat, the Zoning Administrator shall retain the recording copies until the City Engineer certifies that the subdivision has been staked; the improvement plans and final reports have been approved; a computer closure of the plat has been received; recording fees submitted; that the subdivision improvement construction assurances are in the form and amount to the satisfaction of the City Engineer and the City Attorney, along with the Engineer's estimated cost of said improvements has been received; and that any drainage or other restrictive covenants have been signed, notarized and received from the developer.

4. Approval of the final plat is valid for a period of twelve (12) months from the date of City Council approval. If the developer fails to provide the required material or perform the necessary work, as indicated in Sec 14-4-6 (G)(3), within this twelve (12) month period, the final plat approval by council shall become null and void. Any further action on said plat, after the expiration of the approval, shall require a complete re-submittal of the plat.

#### **Section 14-4-7      Stage 6: Recordation of Plat**

- A. Upon receipt of the required material, documents, and fees, and performance of the necessary work as listed in Sec 14-4-6 (A) & (G), the City shall then cause the final plat to be recorded in the Office of the County Recorder of Pinal County.

#### **Section 14-4-8      Replats**

- A. Any division of a lot in a recorded subdivision, or any change in lot lines in a recorded subdivision, shall be processed in accordance with Section 14-4-6 of this Ordinance, after a pre-application conference with City staff as provided in Section 14-4-2 of this Ordinance.
- B. Any replat involving the dedication of land for a public street or any off-site public improvements shall comply with all procedures set forth in Article 14-4 of this Ordinance.
- C. If the abandonment of a street, alley or public utility easement or other recorded easement in a previously recorded subdivision is necessary, either a replat or a certificate of correction, as determined by the Zoning Administrator, shall be processed concurrently with the abandonment and recorded immediately subsequent to the recordation of the abandonment.

#### **Section 14-4-9      Abandonment of Recorded Subdivision**

- A. Pursuant to the provisions of A.R.S. 28-7201 et. seq., the abandonment of all or part of a recorded subdivision may be initiated by written petition to the City Council. The petition shall be signed by all owners of real property in said subdivision requesting abandonment of all streets, alleys and easements within said subdivision and giving the legal description and recording information thereof.
- B. Applications for the abandonment of a recorded subdivision are filed with the Zoning Administrator and referred for recommendation to the appropriate City staff and utility companies. After City Council approval of the abandonment of any streets, alleys and easements within the subdivision, and after City Council approval of the abandonment resolution for the recorded subdivision, and after the abandonment resolutions are recorded with the County Recorder's Office, the subdivision is removed from the official maps.

#### **Section 14-4-10      Condominium Developments**

- A. The application requirements, processing and approval regulations contained within this Ordinance shall apply to all condominium developments.
- B. All condominium subdivisions shall comply with the provisions of this Ordinance and *The Zoning Ordinance for the City of Maricopa*, and the location of building shown on the plat and the manner in which the airspace is to be divided in conveying the condominium shall be clearly defined and shall not violate any provision of this Ordinance.
- C. In order for the condominium subdivision application to be considered complete, the applicant shall provide to the City any plans, specifications, and/or analysis needed to show that the proposed condominium subdivision is in compliance with this Ordinance and *The Zoning Ordinance for the City of Maricopa*, including but not limited to grading plans, site plans, floor plans, elevations, and landscape plans.

#### **Section 14-4-11 Minor Land Divisions and Lot Splits**

- A. The provisions in this section shall apply to any “minor land division” and/or “lot split” of improved or unimproved property, including a lot, parcel, tract, or combination thereof, for the purpose of financing, sale or lease, whether immediate or future, if one of the following conditions exists:
  - 1. The division of land whose area is two and one-half (2½) acres or less and is being divided into two (2) or three (3) tracts or parcels of land for the purpose of sale, lease or conveyance.
  - 2. The area of the property to be divided is greater than two and one-half (2½) acres and requires the creation of a public or private street or easement to provide legal access to one (1) or more additional lots.
  - 3. Any lot or parcel of land, not a part of a recorded subdivision plat, that has a tax parcel established by the county and is being divided into two (2) or three (3) lots.
  - 4. The division of land into more than two (2) parts, and when the boundaries of such property have been fixed by a recorded plat.
- B. A minor land division and/or lot split does not include the adjustment of a property line, where land taken from one (1) lot is added to an adjacent lot, provided the proposed adjustment does not create a substandard lot. A certificate of correction shall be required if the property line adjustment is for lots within a recorded subdivision plat.
- C. An application for a minor land division and/or lot split shall be submitted to the Zoning Administrator prior to any deeds related to a minor land division and/or lot split with the Pinal County Recorder’s office. The City may approve minor land divisions and lot splits administratively.
- D. Except where expressly modified or permitted by staff all minor land

divisions and/or lot splits shall be in general conformity with the design standards and principles outlined for subdivisions in Article 14-6 of this Ordinance. All lots created by a minor land division and/or lot split shall be designed to conform to existing zoning and the General Plan.

- E.** If dedicated and/or public improvements are required for minor land divisions and/or lot splits, the applicant shall be responsible for the preparation of a complete set of improvement plans, prepared by an Arizona registered civil engineer, satisfactory to the City Engineer for the construction of the required improvements. The plans shall be prepared in conjunction with the minor land division and/or lot split map and the requirements outlined in Article 14-7 of this Ordinance.
- F.** The minor land division and/or lot split map shall not be recorded, nor shall any improvement work commence until the City Engineer has approved the improvement plans.
- G.** No minor land division and/or lot split, which creates a substandard or nonconforming lot or structure, shall be approved except by council action.
- H.** If any improvements are required for the minor land division and/or lot split pursuant to regulations contained herein, no building permit for any lot created will be issued until such improvements are completed and the work accepted by the City Engineer unless the developer provides construction assurance in a form acceptable to the City Attorney as outlined in Article 14-7 of this Ordinance.

## ***ARTICLE 14-5***

### ***MASTER PLAN DEVELOPMENT (M.P.D.) and PLANNED AREA DEVELOPMENT (P.A.D.)***

#### **Section 14-5-1 Purpose**

- A. The purpose of this Article of the Subdivision Ordinance is to provide the citizens of Maricopa, the development community, and the homebuilders with guiding principles, general provisions, a set of guidelines for the physical development and the visual quality of the Master Planned Development (M.P.D.) and the Planned Area Development (P.A.D.) communities desired by the City of Maricopa and the submittal requirements. These M.P.D. and P.A.D. communities are intended to encourage creativity and design excellence; foster healthy development that will enhance a residential community's overall physical image, identity, value and appearance; and achieve the integration of well-planned projects into an overall development pattern that supports Maricopa's goals for a more sustainable and livable community.

#### **Section 14-5-2 Guiding Principles**

- A. Master Plan Development (M.P.D.)
1. Is consistent with the Maricopa General Plan, provides useable open space, and provides the transportation and infrastructure systems that meet the needs of the residents within the development
  2. Is connected to the rest of the community of Maricopa through the open space areas and by the overall design and layout of the development and creates an ease of flow for both pedestrian and vehicular traffic
  3. To create a distinctive, innovative, high quality, sense of place that would not be obtained by conventional development methods
  4. To provide public facilities that serve the needs of the development and those of the greater community
  5. Encourage pockets of small scale "neighborhood commercial" designed to serve the everyday commercial needs of the residents of the development
  6. Encourage a percentage of the residential units or residential lots for the development of workforce housing or encourage a parcel(s) within the M.P.D. development for the explicit development of workforce housing
  7. Minimize negative impact on existing geographic and environmental features
- B. Planned Area Development (P.A.D.)



1. Provide useable open space that is designed as a connective element throughout the development
2. Is connected to the rest of the community of Maricopa through the open space areas and by the overall design and layout of the development
3. Provide distinctive design and architectural diversity
4. Encourage a percentage of the residential lots or units for the development of workforce housing units or encourage a parcel(s) within the P.A.D. development for the explicit development of workforce housing

### **Section 14-5-3 General Provisions**

- A. Applications for both a M.P.D. and a P.A.D. development shall be made on forms provided by the City and shall abide by the Zoning Ordinance, Maricopa Design Standards Manual, and the provisions of this Subdivision Ordinance unless otherwise modified by the City Council at the time of zoning approval. The requirements outlined in this Article are in addition to those required by other articles of this Ordinance (i.e. refer to Article 14-6 for Design Standards).
- B. Applications for either a M.P.D. and/or a P.A.D. development shall be required to submit, for City approval, a “Preliminary Master Plan Map” in conjunction with the request for rezoning.
- C. The purpose of the M.P.D. is to allow for the planning and initial design work for a community or other large or complicated land area, the platting of which is expected in phased or progressive stages, to occur in a cohesive manner rather than to seek flexibility to the development standards. The planning of the backbone infrastructure serving a M.P.D. shall be accomplished with the initial phase while construction of said infrastructure may be accomplished in phases; provided each phase can stand on its own. The individual parcel engineering and development is deferred for future project development. The minimum size for any development utilizing the M.P.D. process shall be three hundred twenty (320) acres. Zoning for the development of a M.P.D. must be processed, and approved by the City, prior to the submittal of an application for a preliminary plat.
- D. The purpose of the P.A.D. is to provide for the orderly development of land while permitting flexibility in the design and/or development standards for residential, commercial, and/or industrial environments of a quality which could not be achieved by traditional lot by lot development under conventional subdivision design. The size for any development utilizing the P.A.D. process shall be at least thirty (30) acres but less than three hundred twenty (320) acres. Any rezoning necessary for the development of a P.A.D. shall be processed prior to or in conjunction with an application for a preliminary plat.
- E. Residential densities for either a M.P.D. and/or a P.A.D. shall be consistent with the Maricopa General Plan and approved by the City through the rezoning process. Open space requirements for developments with a residential density less than two (2.0 du/ac) dwelling unit per net acre shall be calculated using the “Low Density

Residential” type of development as shown in **Table 2** of Article 14-6. Open space requirements for developments with a residential density of two (2.0 du/ac) dwelling units per net acre up to and including densities of three and two-tenths (3.2 du/ac) dwelling units per net acre shall be calculated using the “Medium Density Residential” type of development as shown in **Table 2** of Article 14-6. open space requirements for developments with a residential density greater than three and two-tenth (3.2 du/ac) dwelling unit per net acre but less than seven (7.0 du/ac) dwelling unit per net acre shall be in accordance with **Table 1** below.

**Table 1 M.P.D./P.A.D. Open Space Requirements**

Density (du/ac)	Open Space
Greater than 3.2 but less than 4.0	20% <sup>(1)</sup>
Greater than 4.0 but less than 5.0	25% <sup>(1)</sup>
Greater than 5.0 but less than 6.0	30% <sup>(2)</sup>
Greater than 6.0 but less than 7.0 <sup>(3)</sup>	35% <sup>(2)</sup>
<p>(1) The percentage (%) of open space shall be adjusted to allow the developer flexibility in their design if workforce housing is provided. Open space shall not be reduced by more than five (5%) from the requirements.</p> <p>(2) The percentage (%) of open space shall be adjusted to allow the developer flexibility in their design if workforce housing is provided. Open space shall not be reduced by more than ten (10%) from the requirements</p> <p>(3) Density may be increased, up to a maximum of 10 du/ac but only for a mixed-use development approved by the City.</p>	

- F.** For the purpose of serving the greater needs of the community, any P.A.D., not associated or included within a larger M.P.D., and all M.P.D. is encouraged to provide for community service nonprofit organization uses as follows:
1. A total of two (2%) percent of the total net acres is strongly encouraged to be provided. This acreage may be provided in multiple sites if applicable.
  2. The percentage of open space required shall be adjusted and given full credit (acre for acre) as “useable” open space when calculating the overall M.P.D. or P.A.D. open space requirement if the community service nonprofit acreage is donated; not to exceed a maximum of two (2%) percent of the total net acres. The percentage of open space required shall be adjusted and given half (½) credit (acre for acre) as “useable” open space when calculating the overall M.P.D. or P.A.D. open space requirement if the community service nonprofit acreage is sold at fair market value; not to exceed a maximum of two (2%) percent of the total net acres.
  3. The site(s) shall be suitable for building construction and accessible from the major access roads of the development. Public improvements to the sites(s) shall be made by the developer. No offsite drainage shall be conveyed on this site(s).

4. Site(s) shall be made available for purchase at fair market value or donated to any federally qualified community service nonprofit organization or to the City of Maricopa. Site(s) shall not be made available to a school district for school sites. The City may maintain a list of federally qualified community service nonprofit organizations that have expressed an interest in moving into the City and the developer can obtain a copy of that list if they want. The developer may market and make available the acreage to a federally qualified community service nonprofit organization of their choice.
  5. All community service nonprofit organization uses/sites shall require Site Plan Review as outlined in the Zoning Ordinance. All community service nonprofit organization uses/sites shall be required to adhere to the Master Plan Design Guidelines and the Master Architectural Design Standards & Guidelines, approved by the City, for the P.A.D. or M.P.D.
  6. The public shall have access to site facilities during regular operating hours.
  7. When acreage is sold to a community service nonprofit organization it shall be deed restricted so that any subsequent resell of the property may only be to another federally qualified community service nonprofit organization, the City of Maricopa, or to the local H.O.A. The site shall be maintained, by the property owner, in an adequate and proper manner, approved by the City of Maricopa, until it is developed. If the site remains unsold for more than two (2) years after the first Certificate of Occupancy is granted, availability for community service nonprofit organization uses will cease and the property shall be developed and programmed as useable and active open space. If the M.P.D. is developed in phases, the time limitation is initiated when the first Certificate of Occupancy is issued for the final development phase. Prior to reverting back to, and being developed as, useable and active open space the City of Maricopa shall be contacted and provided the option to purchase the property. If the property is reverted to open space the developer shall be responsible for the installation and construction of landscaping and the open space improvements of the site.
- G.** The developer of any M.P.D shall form a “Master Homeowners Association” and/or a “Master Property Owners Association”. Parcels that are developed within the M.P.D. under the P.A.D. zoning regulations may form an additional H.O.A. but shall still remain obligated to the master association. All P.A.D developments, not associated with a M.P.D., shall form a H.O.A.
- H.** An “Architectural Review Board/Committee” shall be established by the master developer for the entire M.P.D. The process, by which all architectural plans within the M.P.D. are submitted and reviewed by the board/committee, shall be established in writing by the master developer. The M.P.D. Architectural Review Board/Committee will be obligated to enforce both the “Master Architectural Design Standards & Guidelines” and the “Master Plan - Design Guidelines” developed for the M.P.D. as approved by the City. Review by the M.P.D. Architectural Review Board/Committee shall be required prior to any building plans being submitted to the City. Approval by the M.P.D. Architectural Review Board/Committee does not indicate approval will be automatic by the City for the building plans.

- I. As a prerequisite to the Commission hearing for any M.P.D. or P.A.D., a neighborhood meeting shall be required to be conducted by the applicant. The purpose of the meeting is to provide information to the property owners and citizens adjacent or directly impacted by the development. The applicant shall notify all landowners, adjoining or adjacent to and within three hundred (300) feet of the boundaries of the proposed development, and the City of Maricopa by first class mail of the scheduled neighborhood meeting no less than thirty (30) days prior to the scheduled Commission meeting. This notice shall state the date, time, and place of the neighborhood meeting and shall include a general explanation of the application. The form of notice may vary according to the specific type of application, and a more extensive method of notice may be deemed necessary by the Zoning Administrator. The applicant shall submit documentation of the attendees and minutes of the meeting(s) to the Planning & Economic Development Department. All meeting(s) shall be held within the City of Maricopa incorporated limits or planning area.

## **Section 14-5-4 Master Plan Development (M.P.D.)**

### **A. Site Design Guidelines and Standards**

1. Any M.P.D. shall be required to provide a minimum of three (3) distinctly different residential lot size categories (which may include multi-family). If a M.P.D. is larger than six hundred forty (640) acres it shall be required to provide a minimum of four (4) distinctly different residential lot size categories (which may include multi-family). For the purposes of this ordinance "distinctly different" shall be defined as a minimum of 1,800 square foot differential in lot area in combination with a lot width differential of fifteen (15) feet unless otherwise recommended by the Planning and Zoning Commission and approved by the City Council based on superior design, product diversity and/or unique circumstances.
2. No one (1) residential lot size category, including multi-family, shall comprise more than forty (40%) percent of the total number of lots.
3. Providing interior parcels for small scale neighborhood commercial uses and mixed uses rather than large perimeter parcels for community wide commercial uses should be encouraged.

### **B. Open Space Design Guidelines and Standards**

1. Golf courses may account for no more than twenty-five (25%) percent of the required open space in a M.P.D. if the golf course is designed to be surrounded by lots with less than fifty (50%) percent of the course being visible to the general public. If the golf course is designed so that at least fifty (50%) percent of the course is visible to the public from and along the arterial and/or collector roadways, then the golf course may account for up to fifty (50%) percent of the required open space. Golf courses shall be designed to be watered using effluent water or reclaimed water wherever and whenever feasible.
2. Any M.P.D. with a residential component shall provide a multi-use trail system that connects the open space areas within the development and creates pedestrian linkages with surrounding residential and commercial developments. Should this be a gated community the development shall provide for a continuous public linkage to and with the greater community

multi-use trail system and a linkage from the development's multi-use trail system to the community trail system for use by the residents of the development. Along the trail system, rest areas shall be constructed every quarter mile, consisting of a substantial seating area which accommodates at least four (4) persons and a shade area either by means of an architectural shade structure or specimen canopy shade trees, or a combination thereof.

3. Establish multi-use trails between residential and non-residential portions of the project, or similar areas adjacent to but outside of the project, including, but not limited to, schools, libraries, churches, parks, shopping areas, etc. by incorporating fence and landscape penetrations into the pedestrian circulation element. The developer must establish a H.O.A. to maintain the required open space and common areas tract(s).
4. Any M.P.D. with a residential component may construct and convey to the H.O.A. a clubhouse which includes an outdoor recreation area and an indoor area for meetings, exercise, entertainment, etc.
5. Any M.P.D. with a residential component shall construct and convey to the H.O.A. appropriate active outdoor recreational facilities for adults, such as lighted athletic fields, full court basketball courts, tennis courts, volleyball courts, and other similar recreational facilities along with facilities for children such as tot lots.
6. Any M.P.D. with a residential component may construct and convey to the H.O.A. a community swimming pool(s) which are sufficient in size and number to serve the needs of the residents of the development project.
7. An allocation of open space shall be made for each phase of a M.P.D. development in accordance with the M.P.D.'s open space requirements or pursuant to zoning conditions imposed on the property by the City Council. The "Master Open Space Plan" shall list the acreage of open space for each proposed phase of development along with the type of open space it is and the specific uses proposed.

**C. Homebuilder/Parcel Buyer Guidelines and Standards**

1. The homebuilder and/or parcel buyers shall be held to the standards outlined in the "Master Architectural Design Standards & Guidelines" and the "Master Plan - Design Guidelines" developed for the M.P.D. and approved by the City. The standards developed for the M.P.D. shall not be any less than the minimum standards outlined in the Maricopa Design Standards Manual and in Article 14-6 of this Ordinance unless otherwise approved.
2. The homebuilder and/or parcel buyers should be encouraged to use a variety of lot widths adjacent to each other within the individual parcels to provide a variety to the streetscape and a sustainable neighborhood that can accommodate changes for the future homeowners.
3. The homebuilder and/or parcel buyers should be encouraged to use a variety of staggered home placements and setbacks adjacent to each other

within the individual parcels to provide variety to the streetscape.

4. Parcels that are along the perimeter of the M.P.D. shall have restrictions that require deeper lots to back to the M.P.D. perimeter as well as restrictions on the number of two-story homes built along the perimeter, built adjacent to one another, built adjacent to the open space areas and/or washes, and require architectural treatments that provide visual variety.
5. The use of “standard plans” by production homebuilders/parcel buyers shall be addressed in the “Master Architectural Design Standards & Guidelines”. The specific architectural and site design requirements that will be imposed upon the production homebuilders using standard plans within the M.P.D. shall be included in the “Master Architectural Design Standards & Guidelines”. At a minimum these regulations should address, but not be limited to, non-garage dominant architecture, front and rear porches and patios, diversity of elevations, styles of architecture, sustainable building practices and materials that meet Leadership in Energy and Environmental Design (LEED) standards, and theme elements that tie the individual parcels to the whole M.P.D. while creating diversity within the M.P.D.

**D.** Additional Submittal Requirements: An application for a M.P.D. shall be made on forms provided by the Planning & Economic Development Department. Any application for a M.P.D. shall include at least the following information:

1. “Master Street Plan” (arterial and collector system) and a table that lists acreage associated with the different type of roadways
2. “Traffic Impact Analysis” using trip generation information from the Institute of Transportation Engineers (ITE)
3. “Master Open Space Plan” and a table that lists acreage associated with the different type of open space areas and uses. This plan shall also include the fifteen (15) acres designated for community service/organization/non-profit uses which shall be designed for an appropriate alternative open space use of the site(s) in case a community service/organization/non-profit group does not come forward and the site(s) is reverted back to the H.O.A. for open space purposes.
4. “Master Drainage Plan” designed to allow storm water retention/detention to meander through the development as a greenbelt, simulating as natural waterway, as opposed to constructing a series of separate and distinct basins.
5. “Master Wastewater and Sewer Plan”
6. “Master Water Plan”
7. “Master Phasing Plan”
8. “Master Parcel Plan” and “Public Facility Plan”

9. “Master Outdoor Lighting Plan” and “Master Signage Plan”
10. “Master Plan - Design Guidelines” with both narrative and graphics that explain the character, site planning, community architecture and amenities, signage, landscaping and walls that can be expected from the development shall be provided at the time of application submittal.
11. “Master Architectural Design Standards & Guidelines” with both narrative and graphics that explain the standards that the master developer will hold its homebuilders/parcel buyers to. These architectural design standards & guidelines should at a minimum discuss form and massing, building facades, roof architecture, colors and materials, windows and doors, setbacks and varying lot widths and sizes, street character and scene, project walls and landscaping, and entry monuments and project signage. These architectural design standards & guidelines shall also address the affordable housing requirements that the Master Developer must adhere to and the homebuilders/parcel buyers must provide.
12. “Map of Dedication” for arterial and collector street system (backbone system)
13. “Map of Dedication” for drainage easements identified in the Master Drainage Plan
14. Documentation that a site records check, for potential cultural resources, has been conducted in conjunction with the State Historic Preservation Office Cultural resource check
15. An Environmental Phase I Report. A Phase II Report may be required, if applicable, as directed by the Phase I Report
16. A.L.T.A. Survey no older than ninety (90) days
17. Additional information may be necessary as requested by the Zoning Administrator to adequately review the project.

## **Section 14-5-5      Planned Area Development**

### **A.      Site Design Guidelines and Standards**

1. Any P.A.D. over fifty (50) acres in size shall be required to provide a minimum of two (2) distinctly different residential lot size categories (which may include multi-family). If the P.A.D. is larger than one hundred (100) acres it shall be required to provide a minimum of three (3) distinctly different residential lot size categories (which may include multi-family). For the purposes of this Ordinance “distinctly different” shall be defined as a minimum of 1,800 square foot differential in lot area in combination with a lot width differential of fifteen (15) feet unless otherwise recommended by the Planning and Zoning Commission and approved by the City Council based on superior design, product diversity and/or unique circumstances.
2. No one (1) residential lot size category shall comprise more than sixty (60%) percent of the lots.

3. The above requirement shall not apply if the density of the development is less than two (2du/ac) dwelling units per acre.; however developments in this density range are strongly encouraged to provide variable lot widths to achieve diversity.

**B.** Open Space Design Guidelines

1. Any P.A.D. with a residential component shall provide a multi-use trail system that connects the open space areas within the development and creates pedestrian linkages with surrounding residential and commercial developments.

**C.** Homebuilder Guidelines and Standards

1. The homebuilder and/or parcel buyer shall be held to the standards outlined in the “Master Architectural Design Standards & Guidelines” and the “Master Plan - Design Guidelines” developed for the P.A.D. and approved by the City. The standards developed for the P.A.D. shall not be any less than the minimum standards outlined in the Maricopa Design Standards Manual and in Article 14-6 of this Ordinance unless otherwise approved.
2. A homebuilder and/or parcel buyer within a P.A.D. is strongly encouraged to use a variety of lot widths adjacent to each other within the individual parcels to provide a variety to the streetscape and a sustainable neighborhood that can accommodate changes for the future homeowners.
3. The homebuilder and/or parcel buyer within a P.A.D. is strongly encouraged to use a variety of staggered home placements and setbacks adjacent to each other to provide variety to the streetscape.

**D.** Additional Submittal Requirements: An application for a P.A.D. shall be made on forms provided by the Planning & Economic Development Department. Any application for a P.A.D. shall include at least the following information:

1. All material outlined in the Planned Area Development District of the Zoning Ordinance
2. A preliminary water report and water layout plan
3. A preliminary sewer report and sewer layout plan
4. A “Preliminary Drainage Report” that at a minimum indicates or delineates: the boundaries of on-site and off-site drainage areas; the proposed drainage patterns of the development and the pre-existing patterns; run-off factor and run-off data; retention volume and location of drainage easements. The City Engineer may request other data necessary to review the proposed development.
5. A preliminary traffic study, prepared by a Registered Professional Traffic Engineer or Civil Engineer, that at a minimum addresses on-site and off-site traffic flows, project impacts and mitigation measures, anticipated trip generations, and level of service. The City Engineer may request other data necessary to review the proposed development.



6. A phasing plan/schedule. If the project is to be developed in phases each phase shall contain a mix of residential lot sizes, densities, product designs and be self-sufficient meeting the requirements, standards and conditions applicable to the project as a whole. Additionally, each phase of the project shall be self sufficient in regard to connectivity, transportation, utilities, services, and open space amenities.
7. Documentation that a site records check, for potential cultural resources, has been conducted in conjunction with the State Historic Preservation Office Cultural resource check
8. A.L.T.A. Survey no older than ninety (90) days
9. An Environmental Phase I Report. A Phase II Report may be required, if applicable, as directed by the Phase I Report
10. Additional information may be necessary as requested by the Zoning Administrator to adequately review the project, including but not limited to, a refuse plan and an on-street parking plan etc.

**E. Review Process**

1. The development progression, for review and approval, of the subdivision of land utilizing a P.A.D. follows the same progressive stages (Stages I-V) as outlined in Article 14-4 of this Ordinance.

## **ARTICLE 14-6**

### **DESIGN STANDARDS**

#### **Section 14-6-1 Purpose**

- B.** The purpose of this Article of the Subdivision Ordinance is to provide the development community and the citizens of Maricopa with a minimum set of standards to guide the physical development and the visual quality of the subdivisions being developed throughout the community. The design standards in this article apply to all developments in the City. The intent is to create functional, attractive developments, to help preserve the natural beauty of the City by preserving open space, minimize adverse impacts on the community, and to insure that future subdivisions will conform to the community's expectations while at the same time encouraging new development that is dynamic, creative and imaginative.

#### **Section 14-6-2 General Provisions**

- F.** Every subdivision shall conform to the Maricopa Zoning Ordinance, the Maricopa Design Standards Manual, other ordinances and regulations of the City, and the Arizona Revised Statutes, as well as implement the goals, objectives, and policies of the Maricopa General Plan. In the event two or more requirements conflict, the most restrictive requirement shall apply.
- G.** All public improvements shown on the preliminary plat, and any additional improvements that may be required by the Commission as a condition for approval of the preliminary plat shall be the responsibility of the developer. All public improvements shown on the final plat and the improvement plans, and any additional improvements that may be required by the City Council as a condition for approval of the final plat, shall be the responsibility of the developer.
- H.** All improvements must be acceptable to the Zoning Administrator prior to the issuance of building permits for lots within the subdivision. Building permits for model homes, sales offices and construction site trailers may be allowed, prior to the acceptance of the subdivision improvements by the City, with a Temporary Use Permit (TUP) issued by the City, along with the written approvals of the Maricopa Fire District, water, electric, sewer and other affected utility providers.
- I.** Where the area proposed for development contains all or part of a park, a trail and/or a trailhead, a school, flood control facility, or other public site, as shown on the General Plan or as recommended by the Commission or City Council, such site shall either be dedicated to the public or reserved for acquisition by the public or appropriate agency or land trust within a specified period of time as prescribed in A.R.S. 9-463.01 (D) and (E).
- J.** Land which is subject to periodic flooding, land which cannot be properly drained, land which has unstable soils or slopes (fissures), or land which is otherwise unsuitable for residential or commercial uses shall not be subdivided; except that the City Council may approve the subdivision of such land upon receipt of evidence,

including subdivision construction assurances, satisfactory to the City Engineer and City Attorney that the construction of specific improvements will render the land suitable. The construction of subdivision improvements shall not commence until after final plat approval and financial assurances have been secured to the satisfaction of the City Engineer, Zoning Administrator, and City Attorney.

- K. All utilities listed on Final Plat shall be operational prior to granting any “Certificate of Occupancy”.

## **Section 14-6-3 General Site Design Standards**

- E. Regardless of the density of the individual developments, single family residential subdivisions, and condominium or multi-family subdivisions shall be required to provide the following: open space, buffering to adjacent developments, landscaping, and physical connections to adjacent neighborhoods and to the community open space network and/or the City of Maricopa’s green belt and urban trail system.
- F. Commercial and industrial subdivisions shall be subject to all the requirements set forth in the Zoning Ordinance and shall be designed according to the same principles governing the design of residential developments; namely, buildings shall be located according to topography; factors such as drainage, noise, odor, and surrounding land uses considered in sighting buildings; sufficient access shall be provided; adverse impacts buffered; and landscaping provided. In addition, the following standards shall apply to commercial and industrial subdivisions:
  - 1. Commercial and industrial lots/developments that back up to an existing or designated residential land use shall provide a landscaped open space buffer strip adjacent to the common property line to allow for a trail system and to mitigate any adverse affects to the residential neighborhood from a permitted commercial or industrial use. The required buffer strip shall be a minimum width of twenty-five (25) feet for commercial lots/developments and forty (40) feet for industrial lots/developments. This buffer area is not to be used for parking, service drives, or storage and perimeter fencing of the commercial or industrial lots/developments shall not be allowed within the buffer strip.
  - 2. The Planning and Zoning Commission and the City Council may impose special requirements with respect to the design, construction and installation of the public utilities, street, curb, gutter and sidewalk.
- G. Those portions of the community open space network adjacent to, or within, the area proposed for development, whether residential, commercial, or industrial shall be incorporated by that development. Construction of the open spaces, trails, and trail amenities shall be the responsibility of the developer and shall be part of the subdivision improvements. These trails shall be part of a “tract” and maintained by a Homeowners/Property Owners Association unless the open space and/or trail has been accepted, by the City of Maricopa, into the City park system for maintenance responsibilities. Dedication of a trail and/or trailhead to a local land trust, established for the purpose of trail development and maintenance, may also be acceptable.

- H. When the intersection between a multi-use trail and an arterial and/or collector roadway is unavoidable the roadway shall be designed with a center median at the location where the trail intersects the roadway so that the trail users are protected from a potential conflict with the vehicular traffic. The minimum dimensions of these center medians will depend upon the type of multi-use trail that the road bisects (see **Figure 1** and **Figure 2**). Alternative methods may be considered if approved by the City Engineer.
- I. Tracts or parcels of land proposed for subdivision development that are adjacent to an Indian Reservation shall provide an adequate buffer to the Indian Community.

## **Section 14-6-4 Open Space and Recreation Requirements**

- A. **General Open Space Requirements** - The purpose of these open space regulations is to provide for open space, recreational, and alternative transportation opportunities and trails within each subdivision and connectivity to the greater community.
  - 1. Open space intended to fulfill these open space requirements shall be calculated upon the net acres of the subdivision whether residential, commercial, or industrial. Net acres for a residential project are defined as: total acres exclusive of the area required for arterial or collector street right-of-way dedications, reserved school sites, multi-family parcels, and all commercial and/or industrial acreage. Net acres for nonresidential projects are defined as: total acres exclusive of the area required for arterial or collector street right-of-way dedications. Required open space for all types of subdivisions shall be as prescribed in the following **Table 2** or per the Council approved M.P.D. or P.A.D.
  - 2. The development, through the Planned Area Development (P.A.D.) process as described in the City of Maricopa Zoning Ordinance, upon the requisite findings, may vary the minimum lot area and minimum lot width from the standards specified in the zoning district(s), in effect over the area considered for subdivision, provided that such variations are approved by the City Council prior to or in conjunction with, the preliminary plat approval for the subdivision. Every P.A.D. shall provide open space in accordance with **Table 1** in Article 14-5 and/or as approved by the City of Maricopa through the PAD review process.
  - 3. The development, through the Master Plan Development (M.P.D.) process as described in the City of Maricopa Zoning Ordinance, shall provide open space in accordance with **Table 1** in Article 14-5 and/or as approved by the City of Maricopa through the M.P.D. review process. The design of the open space shall be integrated throughout the development and connect the development to adjacent developments and the community in general.
  - 4. Residential developments, excluding multi-family residential developments, shall be responsible for developing seven (7) acres of Neighborhood/Subdivision Parks per 325 lots. These parks will be calculated as part of the required open space and should be maintained by the Homeowners Association (HOA) except when the parks have been

accepted into the City Park System for maintenance responsibilities, by the City of Maricopa.

**Table 2 - Open Space Requirements**

TYPE OF DEVELOPMENT	REQUIRED PERCENTAGE OF OPEN SPACE
Rural Residential	0% (1 - 49 lots in size) 2% (50 or more lots)
Estate Residential	0% (1 - 49 lots in size) 2% (50 or more lots)
Low Density Residential	0% (1 - 49 lots; min. lot size 54,000 sq. ft.) 2% (50 + lots; min. lot size 54,000 sq. ft.) 10% (1 - 49 lots; min. lot size 20,000 sq. ft.) 12% (50 + lots; min. lot size 20,000 sq. ft.)
Medium Density Residential	15% (1 - 99 lots; min lot size 12,000 sq. ft.) 17% (100 + lots; min lot size 12,000 sq. ft.) 20% (1 - 99 lots; min lot size 7,000 sq. ft.) 22% (100 + lots; min lot size 7,000 sq. ft.)
High Density Residential <sup>(1)</sup>	20% for detached products 100% of the 1 <sup>st</sup> floor total floor area & 50% of the 3 <sup>rd</sup> floor total floor area <sup>(1)</sup>
Master Plan Development (M.P.D.) Planned Area Development (P.A.D.)	Per <b>Table 1</b> in Article 14-5
Mixed Use Development	15%
Commercial Development	10% (20 acres or less in size) 15% (greater than 20 acres in size)
Industrial Development	10% (100 acres or less in size) 15% (greater than 100 acres in size)

**(1)** If a High Density Residential development is part of a M.P.D. then the 3<sup>rd</sup> floor total floor area open space requirement is not required.

5. Those portions of the Maricopa Urban Trail System, as identified in the General Plan for the City of Maricopa or updated Plan Elements, that are adjacent to, or within, the area proposed for development shall be incorporated by that development. Construction of those portions of the trail corridors shall be the responsibility of the developer and shall be part of the subdivision improvements. Certain portions of the Maricopa Urban Trail System, more specifically the Santa Rosa Wash and the Santa Cruz Wash, shall be dedicated to the public upon completion of the improvements or as agreed upon by the City. Public access easements shall be required to provide access to the Maricopa Urban Trail System from public parks and open spaces and, where appropriate, from the private parks within the residential developments when adjacent to the Maricopa Urban Trail System.
6. Open space, in general, may also include any parking area landscaping that exceeds that which is required by the Zoning Ordinance. Open space does not include parking areas except parking lots for trail heads and/or for the

neighborhood parks (not parking lots required for other uses). Bicycle trails (not bike lanes within the pavement section), pedestrian trails (not sidewalks integrated with the curb), equestrian tracts, and trail heads may also be calculated as open space. Landscape buffers and landscaped medians shall be a minimum of fifteen (15) feet in width in order to be calculated as part of the required open space. Open space does not include retention and/or detention basins that are concrete lined or non-landscaped, vacant lots, or undeveloped lots

**B. Open Space Design Standards**

1. Neighborhood parks and those portions of an individual development's open space system should be developed adjacent to the Maricopa Urban Trail System, whenever possible, to provide linkages to the greater community. Construction of the development's neighborhood parks and/or the open space areas shall be the responsibility of the developer and shall be part of the subdivision improvements. The open space areas within an individual development shall be part of a "tract" and maintained by a Homeowners/Property Owners Association unless otherwise approved by the City of Maricopa.
2. At a minimum sixty percent (60%) of the required open space for any development should be developed as "useable" open space with the recreational amenities needed to support the new neighborhood demand incorporated into that open space.
3. The open space areas shall be designed in such a manner as to be easily accessible to all lots. Accessible means that there is no more than 1/6 of a mile or 880 feet of pedestrian travel between any one lot and an entrance area allowing wildlife corridors, people, bikes or equestrians to enter into the open space area or view the open space area.
4. Retention or detention basins, which are required in accordance with the subdivision drainage report, shall qualify as open space only if they are landscaped, multi-tiered and designed to be used as an active multi-use area. Retention basins with a bottom area in excess of one half (1/2) acre, shall be designed, turfed and equipped to accommodate a play/sport field rather than being landscaped with decomposed granite. All recreational facilities, tot lots, play equipment, and amenities within the basin shall be located at least one (1) foot above the 50-year storm level. The exception to this standard is for commercial and industrial developments, which shall be permitted to calculate the landscaped retention or detention area as part of the required open space area. Terracing, berming and contouring may be required to naturalize and enhance the aesthetics of the basin. Basin slopes shall not exceed a three to one (3:1) slope.
5. All retention basins shall be designed to drain within thirty-six (36) hours of a major storm event.
6. Existing watercourses or drainage ways shall qualify as open space if they are incorporated into the design of the subdivision in their historic (unaltered) location, given a "natural" character (not ditch-like in design),

constructed with/of natural materials, and incorporated into the larger open space design.

7. Not more than fifty percent (50%) of the required open space shall be attributed to golf course use or ancillary golf uses.
8. If the developer chooses to provide a curb separated sidewalk with a tree-lined street cross section, as the local street cross section, the “boulevard strip” area, inclusive of that portion of the public right-of-way starting from the back of curb and including any easement specifically granted for landscaping or pedestrian purposes, shall be a minimum of fifteen (15) feet in order to be calculated as part of the required open space.

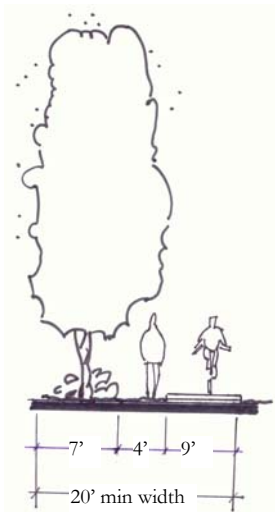
**C. Multi-Use Trails and Trail Requirements**

1. New developments shall incorporate, at a minimum, and where appropriate, multi-use trails as an integral component of the required open space of the developments. These trails must be located and designed to assure complete separation from vehicular traffic. Trails shall have an average minimum separation of five (5) feet from the back of curb to where the trail is when adjacent to and parallel with a street.
2. Multi-use trails shall be used to interconnect the various parks and tot lots of a development, the various neighborhoods of a larger development to each other, and the overall development to the Maricopa Urban Trail System. Particular care should be given to linkages with adjacent subdivisions within a larger development to promote internal pedestrian and bicycle traffic without crossing arterial or collector streets as much as possible. Signs, crossings, vegetation, rest and staging areas, and surface materials shall be developed, designed, and installed in conjunction with the development and in a manner appropriate to the specific users intended.
3. Pedestrian, bicycle and equestrian trails within and through a development shall connect to and be a part of the open space system of the neighborhoods and the City. These trails should be landscaped and minimally furnished to provide shade and rest areas in order to encourage their extensive use as a secondary mode of transportation, recreation, and access throughout the neighborhoods and the City.
4. Multi-use trails shall have a total right-of-way or easement width of not less than twenty (20) feet to accommodate landscaping and furnishings as well as a thirteen (13) foot wide path that is a combination of a nine (9) foot hard surface constructed of either concrete or an all weather surface such as rubberized asphalt, or similar material and four (4) foot of decomposed granite (**see Figure 1**). If the multi-use trails include an equestrian trail the total right-of-way or easement width should be not less than twenty-five (25) feet with the additional twelve (12) foot portion devoted to equestrians constructed of a softer-surface treatment consisting of finely ground gravel or other compatible dense, yet soft material; but not cinders (**see Figure 2**).
5. When approved, unpaved trails shall be designated for limited and specific

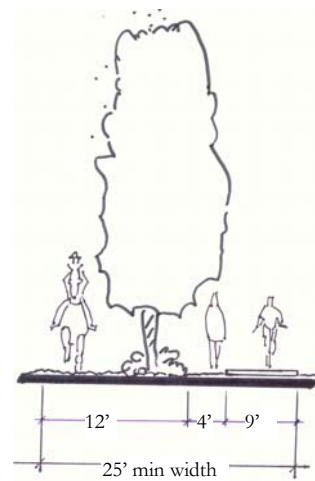
uses rather than for general use. The design and construction of these unpaved trails shall be in accordance with, and appropriate to, the specific uses allowed. Unpaved trails may also be within or over local utility easements/corridors in order to allow utility access while achieving neighborhood connectivity.

6. Those portions of the Santa Rosa Wash and the Santa Cruz Wash that are required, per the FEMA plan, to be retained as non-buildable for flood plain purposes shall be dedicated to the public by the adjacent development and constructed in accordance with the City approved open space and recreation plans by the developer. Trails within the Maricopa Urban Trail System associated with the Santa Rosa Wash and the Santa Cruz Wash shall be constructed in conjunction with the adjacent developments and credited towards the open space requirements (see Figure 3).

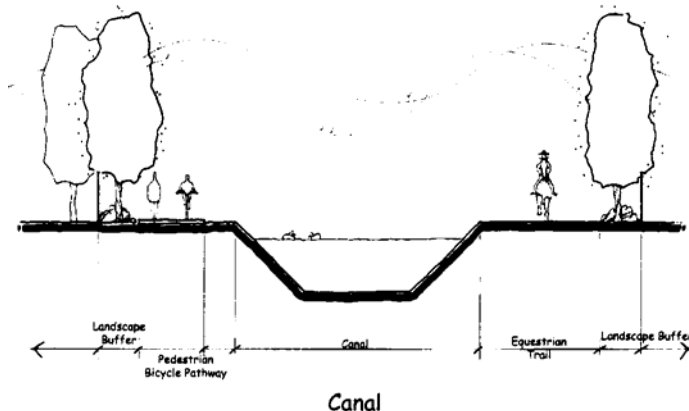
**Figure No. 1  
Multi-Use Trail**



**Figure No. 2  
Multi-Use Trail with an  
Equestrian Trail**



**Figure No.3  
Flood Control Canal/Maricopa Urban Trail**





**D. Recreation and Tot Lot Design Requirements**

1. All tot lots incorporated into Open Space must be covered with a shade structure over the play equipment. All Tot Lots and play structures shall be designed to be located at least one (1) foot above the 50-year storm level if located within a retention or detention area.
2. Tot Lot playground surfaces must consist of sand and a rubberized material, commonly referred to as “tot turf”, or other resilient surface, in the designated fall zones as designated in or by the playground equipment manufacture’s specifications.
3. Wood chips shall not be a permitted material for use within the Tot Lot area.
4. All grass installed in a development for general landscape use and for open space must be hypo-allergenic (midiron) sod or stollons (no seed).
5. Outdoor lighting, in conformance with the standards outlined in Sec.14-6-16 of this ordinance, shall be required at both the tot lot and the Ramada area, as approved by the Zoning Administrator.
6. A Ramada within the Open Space areas must be constructed with stone columns or other durable material of equal quality, as approved by the Zoning Administrator, and a solid roof structure, such as but not limited to, standing seam metal, corrugated metal, concrete tile, clay tile or similar roof material. The Ramada must also include a BBQ grill, a minimum of two (2) tables, two (2) trash cans, and one (1) bike rack.
7. The location of neighborhood parks, mini parks, Tot Lots and similar recreation areas should wherever possible be internalized to the neighborhood and not adjacent to an arterial street or a body of water. If, however, a Tot Lot is placed adjacent to an arterial street or a body of water, it must be buffered with a wall constructed of stone or other durable material of equal quality, as approved by the Zoning Administrator, that is set-back at least ten (10) feet from the sidewalk and twenty (20) feet from a body of water.

**Section 14-6-5 Landscape Requirements**

- A. General Requirements** - When different land uses are adjacent to each other, landscaping is one (1) method of minimizing the impact and establishing a transition between them. Plant materials can filter air, curtail erosion, provide shade and maintain privacy.
1. Healthy significant existing trees located outside of the proposed roadway pavement, within retention/detention basins, adjacent to a pre-existing watercourse, or within the proposed subdivision open space areas shall be

preserved in accordance with the approved landscape plan.

2. Landscape plant materials, in addition to the healthy cacti and trees retained on-site, should consist of drought tolerant indigenous plant materials and species listed in the landscape regulations of the Maricopa Zoning Ordinance and Appendix A of this Ordinance.
3. Replacement of dead trees and required landscaping shall be by the Homeowner's/Property Owner's Association or the individual property owner and shall be completed within three (3) months from the date that the Association or the property owner is notified by the City.
4. Plant Specifications

General – A drip irrigation system shall be installed by approved standards to provide for the long term health and maintenance of the required landscape.

Trees - Where required by this Ordinance shall be, upon installation, a minimum of two (2) inch caliper in size or fifteen (15) gallon size, whichever is larger. Sixty (60%) percent of the required number of trees shall be specimen trees of twenty-four (24) inch box size or larger.

Shrubs - Where required by this Ordinance shall be, upon installation, a minimum of one (1) gallon size with fifty (50%) percent of the required number being five (5) gallon in size.

Organic Groundcovers - Where required by this Ordinance shall be a minimum of one (1) gallon size upon installation. Turf may also be considered for use in small select areas and must be hypoallergenic (midiron) grass.

Inorganic Groundcovers - Where required by this Ordinance shall be used and consist of decomposed granite (minimum size ½ minus). River rock, or pea gravel, in selected areas, may also be considered.

5. To insure plant materials are installed and properly maintained, a Preliminary Landscape, Recreation and Open Space Plan will be required of all developments as part of the Preliminary Plat submittal package and a Final Landscape, Recreation and Open Space Plan as part of the Improvement Plan submittal package (See Sec. 14-7-3 (C) for details). This plan shall show all required plant materials location, include a plant list/palette, indicate species, size, quantity, and spacing specifications. Irrigation plans shall be included with the landscape plans.

**B. Street Tree/Streetscape Requirements** - Streets are the true public realm which are experienced by everyone and provide the most visual sense of the overall look and feel of a community. Landscaping is a major element of the streetscape.

1. Arterial and Collector Streets
  - a. A minimum of one (1) tree and three (3) shrubs and/or organic

groundcover per tree shall be planted every thirty feet (30'), or fraction thereof, in such a manner as to create the appearance of a tree lined street; exclusive of that portion of the public right-of-way occupied by a driveway area. These trees should, however, be spaced according to each species' needs. Additional streetscape such as, but not limited to, benches, school bus stops, trash containers and multi-use trails may be required.

- b. Individual property owners and/or Homeowner Associations shall properly maintain all landscape materials and landscaped areas, including that within the public rights-of-way adjacent to the development, in accordance with the approved landscape plan, except in and along public rights-of-way and easements where the City of Maricopa has agreed to provide maintenance.
- c. Replacement of dead trees along arterial and collector streets shall be by the individual property owners or the Homeowner's Association and shall be completed within three (3) months from the date that the Association or property owner is notified by the City.

2. Local and Neighborhood Streets

- a. For all PAD and conventional subdivisions (individual lot) the landscape plan shall include, at a minimum, two (2) canopy-type shade trees of fifteen (15) gallon size or greater for each lot. For multi-residence subdivisions (attached product, condominiums, townhouses, etc.) the landscape plan shall include, at a minimum, one (1) canopy-type shade tree of fifteen (15) gallon size or greater per dwelling unit. These shade trees shall be placed either within a front yard landscape easement or within the right-of-way between the back of curb and the sidewalk.
- b. In areas not associated with a lot, a minimum of one (1) tree shall be planted every twenty-five (25) feet, or fraction thereof, depending on the recommended spacing according to each species' needs. The trees shall be planted in either a landscape easement or within the right-of-way. The location of the tree shall be between the back of curb and the sidewalk or trail, where a sidewalk or trail are required, in a lineal pattern creating a tree lined street.
- c. Commercial and industrial subdivisions shall provide a minimum of one (1) tree and three (3) shrubs and/or organic groundcover for every thirty (30) lineal foot of street frontage or fraction thereof; exclusive of that portion of the public rights-of-way occupied by a driveway area.
- d. Individual property owners, and/or Homeowner Associations, and/or Property Owner's Association shall properly maintain all landscape materials and landscaped areas, including that within the public rights-of-way adjacent to the development, in accordance with the approved landscape plan, except in and along public

rights-of-way and easements where the City of Maricopa has agreed to provide maintenance

- C. Development Landscape Requirements** - Streets comprise approximately twenty (20%) percent of the overall development. The remaining land is devoted to the individual lots, the required open space, and the retention or detention basins. The landscaping of these areas is equally important to everyone as it provides a visual sense of the community and is a quality of life element.

1. Single Residence Developments

- a. All developments shall provide landscaping within, but not limited to, the adjacent public right-of-ways as indicated in Sec 14-6-5 (B), required open space areas, retention or detention basins, and the community trail system if applicable.
- b. The front-yard landscaping is required to be installed, at the time and as a part of, the home construction. For “tract home” or “standard plan” subdivisions the front-yard landscape packages must be submitted with the “home product plans review” submittals. For custom home subdivisions the landscape plans for the individual lots may be delayed until the individual house plans are submitted.
- c. The use of turf may be considered, within the front yard landscape, provided the total area of turf does not exceed fifteen (15%) percent of the total front yard area.
- d. The required landscaping for a development shall be installed in proportion to the construction phasing of the project and in accordance with the approved subdivision landscape plan.

2. Multiple Residence Developments

- a. All developments shall provide landscaping within, but not limited to, the required open space areas, retention or detention basins, the community trail system if applicable, parking areas, buffer areas and the adjacent public right-of-ways as indicated in Sec 14-6-5 (B). Installation of the required landscaping shall be in accordance with the approved landscape plan for the development.
- b. All developments shall provide a minimum of one (1) tree and two (2) shrubs per dwelling unit in the common area open space.
- c. The required rear and side yards shall contain a continuous landscaped buffer area having a minimum width of ten (10) feet and containing a minimum of one (1) tree and two (2) shrubs every twenty-five (25) feet, or portion thereof, to provide visual screening between adjacent uses.
- d. A landscaped buffer area a minimum width of fifteen (15) feet and not exceeding a three to one (3:1) slope shall be provided and

maintained by the multiple residence development along the common property line when abutting a property zoned as single residence or abutting the community trail system as indicated in the Maricopa General Plan.

3. Commercial and Industrial Developments

- a. The required landscaping for a development shall include the required open space area, retention or detention basins, the community trail system if applicable, parking area, buffer areas, and the adjacent public right-of-way as indicated in Sec 14-6-5 (B). Installation of the required landscaping shall be in accordance with the approved landscape plan for the development.
- b. A landscaped buffer area with a minimum width of twenty-five (25) feet for commercial and forty (40) feet for industrial and not exceeding a three to one (3:1) slope shall be provided and maintained by all commercial and industrial developments along the common property line when abutting property zoned as single residence, multiple residence or the community trail system and open space areas as indicated in the Maricopa General Plan.
- c. Landscaping, combined with architectural treatments, shall be provided to completely screen unattractive views and features such as storage areas, trash enclosures, railroad sidings and yards, transformers, generators, heavy mechanical equipment and other similar eyesores.

**D. Neighborhood (Subdivision) Entry Monuments** - In order to enhance the appearance and help identify subdivision entrances, developers are encouraged to provide landscaping, identification signage and textured pavement at the entryways on at least one major access point to the subdivision.

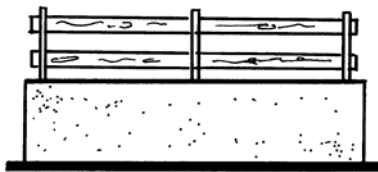
1. Landscaping at entryways should be designed to visually enhance all arrival points. Clustering of trees, shrubs, and ground covers should accent focal points and provide variety to streetscape. Trees along the streets shall consist of drought tolerant indigenous plant materials and species listed in the landscape regulations of the Maricopa Zoning Ordinance and Appendix A of this Ordinance.
2. Signage shall be attractively designed and submitted along with the required landscape plans for approval. Signs shall be integrated to complement the streetscape and landscaping frontages using a decorative monument base. Monument signs shall not exceed those allowed and outlined in the Maricopa Zoning Ordinance.
3. **Textured entryway drives (such as decorative stone, stamped concrete or brick) may be incorporated into access points from any collector or arterial frontages.**

- E. Wall/Fencing Requirements** - In order to enhance the appearance of the community, neighborhoods rather than individual subdivisions are desired. “Walled-in” separated subdivisions do not create neighborhoods by themselves and are strongly discouraged.

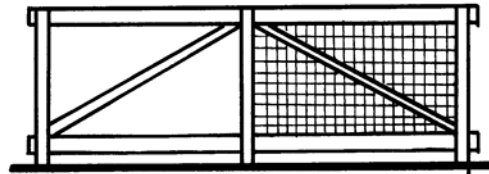
1. Single and Multiple Residential Standards:

- a. The use of solid view-obscuring perimeter walls along the boundary of the subdivision is not permitted except where specifically indicated on the final plat and approved by the City Council. Perimeter walls adjacent to the community open space system shall be view-fences. External orientation of the subdivision to the surrounding arterial, collector and local streets (depending on the project density) as well as adjacent residential development is strongly encouraged and should limit the need for solid view-obscuring perimeter walls.
- b. Openings in the perimeter view-fence are encouraged at the end of abutting interior cul-de-sac streets and along the community trail system, if applicable, to provide the desired connectivity to the community.

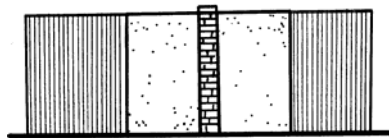
**Figure No 4 - Residential View Walls and Fences (illustrative only)**



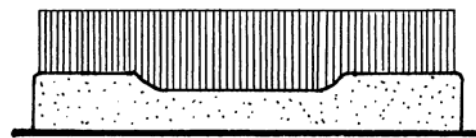
Solid wall and corral  
fencing combination



Pipe rail or corral fencing with wire  
mesh or chain link



Solid wall and ornamental iron  
combination.



Solid wall and ornamental  
iron combination.

- c. Vegetative screening is encouraged, in lieu of walls or fencing, when a residential subdivision is adjacent to a neighborhood commercial development. Allowances for a solid wall may be made if the commercial use is required to have a wall or fence by national or state standards or if the residential area would be adjacent to the outdoor storage or loading area of an existing commercial use.

- d. A solid wall may be required when a residential subdivision is adjacent to an existing industrial development or land zoned for future industrial use.
- e. In the cases where a solid wall is used solely, or in combination with view-fencing, the solid portion shall be decoratively treated on all sides to match the residential product architectural style and design. Walls shall be off-set and/or undulating with decorative pillars every second lot. A low planter wall with landscaping may be built, on the public street side of the perimeter wall, in lieu of or in combination with the required decorative pillars.
- f. Wire mesh or chain link, no higher than the top rail, may be used when in conjunction with a pipe rail or corral style fencing but not as a stand alone fencing material. Pipe rail and corral style fencing shall not be higher than four (4) feet. The use of slat-filled chain link fences shall be prohibited.

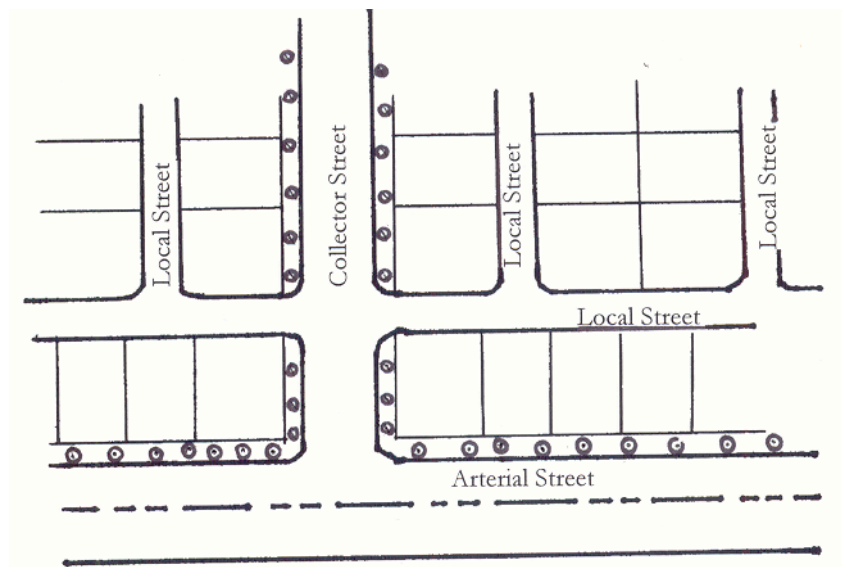
2. Commercial and Industrial Standards:

- a. When solid view-obscuring perimeter walls are necessary or required they shall be decoratively finished on all sides to match the commercial and/or industrial product architectural style and design.
- b. Where a community commercial or industrial development share a common property line with a residentially zoned property (including lands in current agricultural production) or the community open space areas a solid perimeter wall shall not enclose the required landscaped buffer area. Rather the perimeter wall shall be a view-fence and any necessary view-obscuring screen walls shall be setback from the property line a minimum of twenty-five (25) feet or behind the landscaped buffer strip area whichever is greater.
- c. Trash and refuse collection locations shall be screened with a six (6) foot decorative masonry wall. Trash and refuse areas shall be located such that they are not the visual focal point of a driveway or parking area, or can not be viewed from a public street.
- d. Outside storage areas, transformers, generators, heavy mechanical equipment and other similar eyesores shall be screened from the public street view and adjacent residential, office, and commercial uses to a height of at least six (6) feet. Materials shall not be stacked, piled, or stored in such a manner as to project above the screen wall.
- e. Parking areas adjacent to the required front yard shall provide a decorative screen wall or landscape berm or combination thereof to a height not to exceed three (3) feet in order to adequately screen the undercarriages of the parked vehicles

## Section 14-6-6 Access Requirements

- A. Rural, Estate, and Low Density Residential developments should front onto and take access from streets classified as arterial or collector streets as set forth in the Circulation Element of the General Plan.
- B. Medium Density Residential developments should be designed to provide lots that back or side onto streets classified as arterial or collector streets as set forth in the Circulation Element of the General Plan. A non-buildable tract, easement or additional right-of-way equal to the streetside side yard setback of the applicable zoning district, or fifteen (15) feet, whichever is greater, shall be platted between any street side or rear yard property line of any developable lot and the right-of-way of any arterial or collector street (see **Figure 5**).
- C. Every lot shall have frontage onto a fully-improved, publicly-dedicated and accepted street that meets all City of Maricopa street standards. Private streets that meet all City of Maricopa street standards may provide frontage to lots if the development is approved by the Planning and Zoning Commission and City Council for private streets.
- D. Every subdivision (residential, commercial and industrial) shall have at least two (2) separate and distinct access points both of which shall provide fully-improved and accepted access from public, or approved private streets, developed to City of Maricopa street standards. Additionally, every subdivision shall provide a multi-use trail/pathway from an access point other than those used to address the vehicular access requirements; where possible.

**Figure No 5 – Access Requirements  
for Arterial and Collector Roads**





Section 14-6-7 Street Location and Arrangement

- A. *The road system shall be designed to permit the safe, efficient, and orderly movement of traffic and pedestrians; meet the needs of present and future population*

*served; have a simple and logical pattern; respect natural features and topography, and; present an attractive streetscape.*

B. *In residential subdivisions, the*

*road system shall  
be designed to  
serve the needs  
of the greater  
neighborhood.  
Through  
vehicular traffic  
should be  
discouraged by  
means of traffic  
calming  
methods, as*

# *defined by the Institute of Traffic Engineers (I.T.E.).*

- C. There shall be no development of roadways built to Principal or Arterial standards unless and until that roadway and roadway alignment is shown in the current City of Maricopa Small Area Transportation Study (SATS) as a proposed roadway. Street layout shall provide for the continuation of such streets as the SATS or Zoning Administrator may designate.
- D. Adjacent to a railroad or limited access highway right-of-way the development of either open space or a street running parallel to the railroad or limited access highway shall be provided for the use of, and to act as a buffer to, the intervening residentially zoned property along with a protective barrier that must be approved by the City.
- E. Certain proposed streets, as designated by the City, shall be extended to the subdivision boundary to provide future connection with adjoining unsubdivided lands.
- F. Local streets shall be so arranged as to discourage their use by through traffic. Pedestrian needs shall be met.
- G. Where a proposed subdivision of Medium Density Residential development abuts or contains an existing or proposed Arterial or Collector right-of-way, a non-buildable landscaped tract equaling at least the depth of the minimum street side-yard setback of the base Zoning District, or fifteen (15) feet, whichever is greater, should be platted with non-vehicular access easements along the Arterial or Collector right-of-way. The exception to this would be for Rural, Estate, and Low Density Residential Developments where frontage onto Collector roadways may be desirable and/or encouraged.
- H. Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility, streets of reasonable gradient, and the facilitation of adequate drainage.
- I. Where private streets are approved, such streets shall be constructed to City public

street specifications and shall be placed into specific “street tracts” of land. Statements shall be contained on the plat and in both the Deed Restrictions and the Homeowners Association By-laws that those streets are declared private subject to an easement authorizing use by emergency and public service vehicles and utilities, and remain the permanent responsibility of the Homeowners Association. If at any time the streets are dedicated to, and accepted by the City, the streets must first be developed to the current standards specified by the City at the time of dedication.

- J. Alleys may be required in commercial and industrial subdivisions or may be desired in residential developments to facilitate detached rear loading garages. Where needed, and approved by City Council, they shall be a minimum of twenty-four (24) foot in width for commercial and industrial and a minimum of twenty (20) foot in width for residential.

## **Section 14-6-8 Street Design**

- A. **Design of Streets** - The design of streets shall conform to standards established by this Ordinance. See **Table 3, Table 4, Table 5, and Table 6** for specifics.
- B. **Private Street** - Private streets shall conform to above stated design standards unless otherwise approved by the City Council. Private streets shall be placed within their own parcel or tract of land. Where site conditions necessitate unique design solutions, modifications may be approved by the City Council.
- C. **Cul-de-Sac Streets** - Cul-de-sac streets shall be constructed with a minimum unobstructed turn-around area of forty-five (45) feet which shall be free from parked vehicles. The City Engineer may recommend an equally convenient form of turning and backing areas where extreme conditions justify. The maximum length of Cul-de-sac streets shall be 600 feet or 20 homes, as measured from the intersection of right-of-way lines to the extreme depth of the turning circle along the street centerline. An exception may be made where topography justifies but shall not be made merely because the tract has restrictive boundary dimensions, wherein provision should be made for extension of street pattern to the adjoining unplatted parcel and a temporary turnaround installed.
- D. **Dead-end Streets** - Dead-end streets will not be approved except in locations recommended by the Zoning Administrator as necessary to future development of adjacent lands; with an unobstructed temporary forty-five (45) foot turn-around.
- E. **Private Access and Driveways** - Access from private property to any dedicated street shall be constructed in accordance with permits issued by the City. Width of driveway at the property line shall be a minimum of twelve (12) feet and a maximum of forty (40) feet. The width will depend on the access to be served (i.e., residential or commercial) and shall be per the structural section designed by a Geotech Engineer. All residential access treatment within the right-of-way will be constructed with five (5”) inches of concrete or two (2”) inches of asphalt over five

(5”) inches aggregate base.

- F. Bicycle Lanes** – Bicycle lanes are designated on-street facilities that shall be provided on arterial and collector streets. Within all new developments a bike lane no larger or smaller than six and one-half (6'-5”) feet, as measured from back of curb, shall be constructed on main collector roads throughout the development and arterial streets adjacent to the development. All bike lanes shall be marked with a white stripe no wider than five (5”) inches and clearly marked “bicycles only.”

**G. Street Intersections**

1. Streets intersecting a major street shall do so at a ninety (90°) degree angle; intersection of local streets shall not vary from ninety (90°) degrees by more than fifteen (15°) degrees. Exceptions to these requirements will be considered by the City Engineer based on terrain and other conditions.
2. Street jogs with centerline offsets less than 135 feet shall be prohibited except when approved by the City Engineer. Under special circumstances where local streets intersect collector or arterial streets, the City Engineer may require minimum centerline offsets of 400 feet.
3. Local streets intersecting a collector street or arterial street shall have a tangent section of centerline at least 150 feet in length measured from the right of way line of the major street, except that no such tangent is required when local street curve has a centerline radius greater than 400 feet with the center located on the major street right-of-way line. Where topographic conditions make necessary other treatment to secure the best overall design, these standards may be varied by the City Council upon the recommendation of the City Engineer.
4. Street intersections with more than four legs and y-type intersections where legs meet at acute angles shall be prohibited unless specifically approved by the City Engineer.
5. At local intersections, property line corners shall be rounded by circular arc, having a minimum radius of twenty-five (25') feet. A twenty-five (25') foot by twenty-five (25') foot triangle shall be provided at each corner of the intersection of two major streets. Under special conditions the City Engineer may recommend other dimensions for the above.
6. Arterial and/or collector roadways that intersect with a multi-use trail shall be designed with a center median at the location of the trail intersection to provide protection to the trail users. The minimum dimensions of these center medians will depend upon the type of multi-use trail that the road bisects (see **Figure 1** and **Figure 2**), as determined by the City Engineer.

- H. Street Grades** - The minimum street grade shall not be less than two-tenths of one percent (0.2%). The maximum street grade shall not exceed a six (6%) percent grade. Street grades between six (6%) percent and ten (10%) percent may be approved only for such distances as topographical conditions make lesser grades impractical.

- I. **Surface Treatment** - The traveled way of all arterial and collector streets shall be surfaced with asphalt concrete. The placing of asphalt concrete shall be accomplished under generally accepted construction techniques provided in Section 321 of the MAG Standard. The use of rubberized asphalt may be required at the discretion of the City Engineer for certain arterial and collector streets.
- J. **Structural Section** - The thickness of base and surface treatment for all streets shall be based on the geotechnical/soil report and pavement thickness design provided by the developer. In no case will base be less than six (6") inches and the surface treatment be less than two (2") inches (compacted thickness).
- K. **Aggregate Base Course (ABC)** - All developments will be required to submit a geotechnical/soils report and pavement recommendation prepared by an Arizona Registered Geotechnical Engineer. The pavement report will recommend at least two alternative structural sections for each street classification. Additional asphalt may be substituted for untreated base at the ratio of one (1") inch to three (3") inches. The top four (4") inches must be ABC, the balance may be ABC or select material.
- L. **Rights-of-Way** - Provide street right-of-way widths that are in accordance with the Maricopa Small Area Transportation Study (SATS) and the Maricopa Transit Feasibility and Implementation Study (TFIS), if addressed by either of those studies, but not less than the following:

**Table 3 – Right-of-Way Dimensions**

Street Classifications	Right-of-Way Width (minimum)
Arterial Roadway	110 & 140 feet
Collector Roadway	80 feet
Local Street – Residential (Rural & Estate)	50 feet
Local Street – Residential (Low & Medium Density)	50 & 60 feet
Local Street – Residential (High Density)	60 feet
Local Street - Commercial	60 feet
Local Street – Industrial	70 feet

**Table 4 – Minimum Street Structural Section**

Street Classifications	Untreated Base (minimum)	Asphalt Base Course	Asphalt Surface Course
Arterial Roadway	10"	3" - A 1½	2" - C ¾
Collector Roadway	10"	3" - A 1½	2" - C ¾
Local Street - Residential (Rural & Estate)	7"	2" - C ¾	1" - D ½
Local Street - Residential (Low & Medium Density)	6"	2" - C ¾	2" - D ½
Local Street - Residential (High Density)	6"	2" - C ¾	2" - D ½
Local Street Commercial & Industrial	8"	2" - C ¾	2" - D ½

**Table 5 – Minimum Road Design Standards**

Street Type/Category	Arterial	Collector	Local Residential Rural & Estate	Local Residential Low - High Density	Local Commercial & Industrial
Design Speed	55	35	30	30	30
Min. Radius of Horizontal Curves w/o Superelevations (ft)	1800	500	200	200	200
Min. Length of Tangent between Reverse Curves (ft)	300	100	100	100	100
Min. Length of Tangent between Curves - Same Direction (ft)	550	100	100	100	100
Min. Vertical Curve (ft)	500	100	100	100	100
Passing Sight Distance (ft) (per ASHTO)	1950	(1)	(1)	(1)	(1)
Right Angle Intersection Sight Distance (ft) (per ASHTO)	860	(1)	(1)	(1)	(1)
Min. Tangent Length Approaching Intersections (ft)	300	200	150	150	150

(1) Consult with the City Engineer for the specific standard to be used.

**Table 6 Street Cross Section Design**

Roadway Classification	R/W Width (feet)	Pavement Width (1)	Curb Type	# Drive Lanes (2)	Sidewalk or Multi-use Trail & Location	On-Street Parking	Landscape Strip	Esmt Required
Principal Arterial 1 Principal Arterial 2	140	102	Vertical	3 + turn + bike lane	S/W @ 5' b.o.c. each side	None (8)	8	None
Minor Arterial	110	74	Vertical	2 + turn + bike lane	S/W @ 5' b.o.c. each side	None (8)	7	None
Collector Street	80	50	Vertical	1 + turn + bike lane	S/W @ 5' b.o.c. each side	None (8)	5	None
Local Street Res. Rural & Estate	50	24	Ribbon	1	Trail @ 5' b.o.c. 1-side	None (8)	8 & 15	None
Local Street Res. Low Density	50	24	Roll	1	S/W @ 5' b.o.c. 1-side	None (8)	13	None
Local Street Res. Medium Density	50	24	Roll	1	S/W @ b.o.c.(7) 2-side	None (8)	13 & 8	8' PUE both sides
Local Street Res. Medium Density	50	28	Roll	1	S/W @ b.o.c. (7) 2-side	1-side (8)	6 & 6	8' PUE both sides
Local Street Res. Medium Density	60	32	Roll	1	S/W @ b.o.c. (7) 2-side	2-side	9 & 9	8' PUE both sides
		36	Roll				7 & 7	
Local Street Res. High Density	60	36	Vertical	1	S/W @ b.o.c.(7) 2-side	2-side	11 & 6	8' PUE both sides
Local Street Mixed Use	60	36	Vertical	1	S/W @ b.o.c.(7) 2-side	2-sides	12 & 7	8' PUE both sides
Local Street Commercial	60	36	Vertical	1 + turn	S/W @ b.o.c.(7) 2-side	2-sides	7 & 7	8' PUE both sides
Local Street Industrial	70	40	Vertical	1 + turn	S/W @ b.o.c.(7) 2-side	2-sides	5 & 5	8' PUE both sides



1. **Pavement width shall be measured from edge of pavement (not including curb & gutter).**
2. Number of drive lanes is for each direction. All drive lanes shall be a minimum of twelve (12) feet in width or wider if required by the City Engineer or the SATS Report..
3. Sewer utilities shall be located under the pavement or within a sewer easement.
4. Dry utilities shall be located within the P.U.E.
5. Sidewalks (S/W) shall be constructed of portland cement concrete; be a minimum of 5' 0" in width along Local Streets and 6'-0" along Arterial and Collector Streets.
6. Multi-use Trails shall be 13'-0" in width (9' hard surface and 4' decomposed granite).
7. The City strongly encourages curb separated sidewalks (see Sec.14-6-4 B. 8);open space incentive.
8. "No Parking" signs shall be installed by the developer per the location and spacing requirements of the City.

## **Section 14-6-9 Lot Planning**

- A. Single-family residential lots shall not have a width-to-depth ratio greater than one to three. Special lot designs that do not meet this requirement may be permitted through the P.A.D. or M.P.D. process on a case-by-case basis.
- B. All proposed lots must be developable without the need of a variance, waiver or further discretionary approvals from the City. Prior to final plat approval the City may require additional documentation, including but not limited to engineered concept plans, for lots with questionable development ability.
- C. Corner lots shall generally be designed larger to accommodate the increased setback requirements of the Zoning Ordinance.
- D. Side lot lines shall be substantially at right angles or radial to street lines, except where other treatment may be justified in the opinion of the Zoning Administrator.
- E. Residential lots extending through the block and having frontage on two parallel streets which are both local streets or one of which is a local street and the other is a collector street shall not be permitted; except when there are Commercial or Industrial Zoning Districts on the opposite side of the street and except where justified in the opinion of the Zoning Administrator.

## **Section 14-6-10 Easement Planning**

- A. Easements will be required for all public and/or private utilities outside of the street right-of-way and shall be placed along lot lines as required by the utility companies. For information on the requirements contact the specific utility companies serving the development.

- B. Where a river, wash or important surface drainage course abuts or crosses a development, dedication of a drainage easement of a width sufficient to permit widening, deepening, relocating, or protecting and maintaining said water course shall be required. Drainage easement width shall be approved by the City Engineer based upon the hydrological analysis of a 100-year frequency storm.
- C. All retention areas shall be in tracts with drainage easements.

#### **Section 14-6-11 Street Naming**

- A. Street names shall comply with the overall City of Maricopa street naming system.
- B. Street names should be consistent with the natural alignment and extension of existing named streets.
- C. The developer shall propose the street names at the preliminary plat submittal stage and the names shall be recommended by the Commission and approved by Council.
- D. Reflectorized street name signs using current “Manual on Uniform Traffic Control Devices” (M.U.T.C.D.) letter size and numbers shall be placed at all street intersections and be in place by the time the street pavement is ready for use. Specifications for design, construction, location, and installation shall conform to M.U.T.C.D. standards.

#### **Section 14-6-12 Drainage**

- A. Proper and adequate provisions shall be made for disposal of storm water; this shall apply equally to grading of private properties and to public streets. Existing major water courses shall be maintained as drainage ways. Drainage shall meet the requirements of the “Drainage Policy” of the City of Maricopa. Streets may be used for drainage conveyance only.
- B. Post development flows cannot exceed pre-development flows in peak runoff, volume, or velocity and may not concentrate sheet flows without down stream off-site control.
- C. Drywells are discouraged. If drywells are necessary they shall be spaced as far a part as possible and only fifty (50%) percent of the percolation capacity can be used in calculating the required number of drywells to be utilized. In addition a maintenance plan shall be prepared that provides for routine inspection and maintenance to the approval of the City Engineer.

#### **Section 14-6-13 Sanitary Sewage Disposal**

- A. All subdivisions within the City of Maricopa shall install sewer collection lines, and all dwelling units shall be required to connect to the sanitary sewer collection system. If there is no sewer main available then the developer must apply to the Sanitary Sewer Provider for sewer extension information. If sewer service is not

available and the Sanitary Sewer Provider issues a written waiver approving the use of an alternative sewage disposal system, an alternative sewage disposal system may be approved by the City.

- B.** All subdivisions not in the Sanitary Sewer Provider service area shall submit a sewer service plan acceptable to Pinal County Health Department, Arizona Department of Environmental Quality (A.D.E.Q.), and the Sanitary Sewer Provider for possible annexation into the district's service area.
- C.** Septic tanks shall be approved by Pinal County Health Department.
- D.** Sewer lines shall be reviewed by the City Engineer and approved by the Sanitary Sewer Provider, A.D.E.Q., and by Pinal County Health Department.
- E.** Service stubs to platted lots within the subdivision for underground utilities shall be placed to the right-of-way line or the public utility easement which ever is greater.
- F.** Sanitary sewer lines shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.
- G.** If a separate sanitary sewer easement is needed it shall be fifteen feet (15') in width.
- H.** The developer will need to refer to the Sanitary Sewer Provider "Design Criteria & Specifications" for more specific design regulations.

## **Section 14-6-14    Water System**

- A.** Each lot or building unit shall be supplied with potable water in sufficient volume and pressure for domestic use and fire protection purposes. Design and construction of any and all facilities relating to the supply, storage, transmission, treatment and distribution of potable water within or outside of any subdivision must meet with the written approval of the water provider and Maricopa Fire District/Department.
- B.** All design and construction must meet all applicable City and A.D.E.Q. specifications and requirements in force at the time of plan review and approval. If it is necessary for the City to apply specifications or requirements not in force at the time of plan review, but necessary to achieve the orderly and proper development of any portion of the water system, the City reserves the right to enforce such specifications and requirements to insure and protect the public welfare.
- C.** The developer of a subdivision may be required by the City of Maricopa and/or the water provider to supply to the water system an amount of new water supply and/or storage facilities to offset the demand on the existing or planned water system imposed by owners of property or building units within the subdivision.
- D.** The City assumes no liability for providing water to any proposed or actual subdivision. All water supply within the City is provided by water companies or districts.
- E.** Water specifications and requirements relating to fire protection are established by

the currently adopted fire code of the State of Arizona. At a minimum fire protection must be provided in accordance with the 1997 Uniform Fire Code, or updated versions of said code, as adopted by the State of Arizona and/or the City of Maricopa.

- F.** Line Sizing: Minimum size lines for water lines shall be six (6") inches. Minimum eight (8") inch lines shall be required on dead-end hydrant lines longer than three hundred (300') feet.
- G.** Valves: There shall be a minimum of three (3) valves at crosses, two (2) valves at tees and one (1) valve at each fire hydrant tee. Shutdown valving shall be arranged such that no more than four (4) valves are required to make a shutdown in any section of waterline. No more than thirty (30) homes or two (2) fire hydrants shall be out of service during a water line shutdown.
- H.** Services:
  - 1. Minimum service tap, service pipe and meter shall be three-quarter (3/4") inches and shall serve only one (1) property. A minimum one (1") inch service tap, pipe and meter, servicing only one (1) property, shall be required on all long cul-de-sac runs, fire sprinkled residences, all Rural and Estate residential developments, and all commercial and industrial developments.
  - 2. Service stubs to platted lots within the subdivision for underground utilities shall be placed to the right-of-way line or the public utility easement which ever is greater.
- I.** Fire Hydrants: Maximum spacing between fire hydrants shall be five hundred (500') feet in single family residential areas and two hundred (200') feet in all other areas.
- J.** Water distribution lines shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.
- K.** The above regulations shall be the minimum standards regardless of the individual water provider's standards. The developer will need to refer to the specific "Design Criteria & Specifications" established by the individual water provider; the more restrictive regulation shall apply.

## **Section 14-6-15 Outdoor Lighting**

- A.** Where required and/or permitted all outdoor light fixtures shall be fully shielded (full cut-off) and shall meet the State of Arizona Light Pollution Ordinance contained in the Arizona Revised Statutes (A.R.S.) §49-1101 *et seq.* The term "fully shielded" means the fixture shall be shielded so that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted. Further, the light sources must be shielded in a manner that the bulb or light source from the fixture is not visible from an adjoining property or from the street view.

- B.** Outdoor light fixtures, lamps and other devices, permanent or portable, used for illumination or advertisement for: recreational areas, walkways within open space areas, parking lot lighting, and street lighting shall comply with these provisions and the City of Maricopa Zoning Ordinance.
- C.** Street lights shall be installed along arterial streets, collector streets, at the subdivision entrance from the arterial or collector street, and at those street light locations as required by the City Engineer for safety (i.e. railroad and at-grade wash crossings).
- D.** Where required along State Highways the installation height shall be limited to American Association of State Highway and Transportation Officials (A.A.S.H.T.O.) standards. In all other areas and along other roadways the installation height shall be limited to the following:

  - 1. Street lights along arterial roads shall be limited to an installation height of twenty-five (25') feet.
  - 2. Street lights along collector roads shall be limited to an installation height of twenty (20') feet.
  - 3. Parking lot lights (recreational, commercial, and industrial) shall be limited to an installation height of sixteen (16') feet within the interior of the parking lot and twelve (12') feet along the perimeter of the parking lot.
  - 4. Parking areas within multi-residence developments (condominiums, apartments, etc.) shall be limited to an installation height of twelve (12') feet for freestanding fixtures. Motion sensor/detector light fixtures are encouraged to be mounted under and recessed into the parking shade canopy/structures.
  - 5. Walkway lighting (recreational and within multi-residence developments) shall be limited to an installation height of ten (10') feet for freestanding fixtures with the preferred fixture being a low level bollard style fixture.
- E.** If the developer, property owners, or Homeowners Association desire street lights for the local streets within and throughout the subdivision the cost for installation, maintenance, and monthly operational/utility bills for these street lights shall be the sole responsibility of the developer, property owners, or H.O.A. Street lights along the local streets throughout a subdivision shall be limited to a height of fifteen (15') feet, and should be limited to intersection locations. Individual residential photo-cell operated house lighting may be provided as an option and is the sole responsibility of the property owners and controlled by the local H.O.A.
- F.** Parking lot lighting within a commercial subdivision/development shall be limited to a maximum lighting intensity (eye illumination levels) of 2.0 Lux or 0.20 footcandles, as measured at the property line. However, if the commercial development abuts or is adjacent to (across the street from) a residential zoning district the maximum lighting intensity (eye illumination levels) in the parking area shall be 1.0 Lux or 0.10 footcandles measured at the property line. Within an industrial subdivision/development the maximum lighting intensity (eye illumination levels) in the parking area shall be 1.0 lux (0.10 fc) measured at the property line.

## **Section 14-6-16 Public Utilities**

- A.** All electric lines, except those of greater than twelve thousand five hundred (12,500) KVA capacity, and all telephone lines, cable television lines, and other communication and utility lines necessary to serve the subdivision shall be installed underground. The developer of the property shall be responsible for the costs of the underground construction in accordance with the underground policy of the serving utility.
- B.** When as a result of the subdivision development, it is necessary to relocate, renew or expand existing facilities within or adjacent to the platted area, the developer shall make the necessary arrangements with the serving utility for these installations to be placed underground at the time of development of the property as part of the required off-site and on-site improvements.
- C.** The developer shall arrange with the serving utility for, and be responsible for, the cost of underground service lines to approved street light locations.
- D.** Service stubs to platted lots within the subdivision for underground utilities shall be placed to the right-of-way line or the public utility easement which ever is greater.
- E.** Underground utilities shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.
- F.** The above regulations shall be the minimum standards regardless of the utility company's standards. The developer will need to refer to the specific "Design Criteria & Specifications" established by the utility companies; the more restrictive regulation shall apply.
- G.** The subdivider shall be responsible for compliance with the requirements of this section and shall make the necessary arrangements with each of the public utility companies involved for the installation of underground facilities. Letters from each of the public utility companies indicating that the arrangements have been made shall be submitted to the city at the time the final subdivision plat is filed.

## ***ARTICLE 14-7 IMPROVEMENT REQUIREMENTS***

### **Section 14-7-1 Purpose**

The purpose of this chapter of the Subdivision Ordinance is to further describe “Stage 5 – Final Plat and Improvement Plan Approval” of the subdivision process as referenced in Article 14-4 of this Ordinance. This chapter describes the specific responsibilities of the developer in the design, construction, and financing of the required public improvements and describes the procedures for the improvement plan review and approval, and the construction and acceptance of the required public improvements.

### **Section 14-7-2 General**

- A. Responsibility** - The developer shall be responsible for paying all improvement plan/report review fees at the time of plan/report submittal. The developer shall be responsible for paying all costs for the installation of the improvements as a stipulation of zoning and/or preliminary plat which shall include at a minimum, but is not limited to, the following improvements:
1. Sanitary Sewer System
  2. Water Supply System
  3. Grading, Drainage, and Drainage Structures
  4. Streets (public and private) and Access Ways
  5. Alleys (where applicable and approved)
  6. Utilities (electric, telephone, cable television, gas)
  7. Traffic Signals, Street Lights (where applicable and approved)
  8. Monuments and Signage
  9. Landscaping and Streetscape
  10. Sidewalks, Multi-use Pathways and Trails
- B. Streets and Public Easements** - All streets and public easements within the boundary lines of the subdivision shall be improved to the minimum cross-sections, grades, and standards outlined in this Ordinance. If there are extenuating circumstances the City may approve modifications. Where there are existing City streets adjacent to the subdivision, subdivision streets shall be improved to the intercepting paving line of such existing streets, or to a matching line determined by the City Engineer; transition paving, including turn lanes, shall be installed as

required by the City Engineer. When a subdivision includes a portion of an arterial street or a collector street, the remainder of which outside of the subdivision is not paved, an asphalt two (2) lane street at least twenty-eight (28) feet wide shall be constructed in the interim as approved by the City Engineer. Financial assurances, in the amount necessary for completion of the ultimate improvements of the arterial street or a collector street, shall be filed with and retained by the City. In the case where there is an unimproved street or roadway easement between the subdivision and the improved City street system, an interim paved two (2) lane street at least twenty-eight (28) feet wide shall be constructed to a standard approved by the City Engineer to connect the subdivision to the improved street system. Any interim roadway shall have sufficient culverts and drainage facilities to allow a 10-year frequency storm to pass under the road section and a 100-year frequency storm to pass over the road section at a depth not to exceed six (6") inches of water. Dead-end streets extending 200 feet or more and dead-end interim roads shall be graded and have an asphalt surface with a temporary unobstructed minimum forty-five (45) feet to back of curb and fifty (50) foot to the right-of-way as a radius turning circle.

- C. Utilities** - The developer shall be responsible to make the necessary arrangements with each of the serving utility companies (i.e. water, sewer, electric, gas, telecommunications etc.) involved for the installation of the underground facilities, including payment of all deposits, fees and miscellaneous expenses. Letters from each of the serving utility companies indicating that said arrangements have been made shall be submitted to the Planning & Economic Development Department at the time the improvement plans and final plat are submitted. Utility improvement plans for the “dry utilities” (i.e. electric, gas, and telecommunications) shall be submitted directly to the respective utility companies. All other improvement plans, including water and sewer, shall be submitted to the City of Maricopa as part of the improvement plan submittal. The City will log in the submitted plans and forward them to the appropriate departments and utility companies for review.
- D. Monuments** - Permanent survey monuments shall be installed along the easement and right-of-way lines, including drainage easements, and in accordance with current City standards at all corners, angle points, and points of curve and in the center at all street intersections. After all improvements have been installed, an Arizona Registered Land Surveyor shall check the locations of the monuments and certify their accuracy.

  - 1. Iron pins shall be set at all lot corners, angle points and points of curve for each lot within the subdivision within one year of final plat approval and before the issuance of the first building permit. Permanent brass cap(s) in concrete monuments shall be set for all subdivision points that are located in the public rights of way. These are to be placed in accordance with the applicable MAG standard.

## **Section 14-7-3 Submittal Requirements**

### **A. General**

- 1. It shall be the responsibility of the developer to have an Arizona Registered Professional Engineer, in the correct discipline, prepare a complete set of engineering plans and reports for construction of all required improvements



and an Arizona Registered Landscape Architect and/or Registered Professional prepare a complete set of landscape, recreation and open space plans. All plans and reports submitted to the City shall be dated, signed and stamped/sealed by the professional who prepared them. Such plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat and in accordance, with all applicable City, County, or State standards.

2. All improvement plans submitted to the City of Maricopa for approval must be submitted on 24"x 36" sheets of blue or black line paper prints. The scales chosen for plans shall be such that existing features, proposed construction and any other information to be provided will be depicted in a clear and concise manner. Water system, sewer system and street paving improvements should be drawn at a horizontal scale of one (1) inch equals forty (40) feet and a vertical scale of one (1) inch equals four (4) feet, unless the City Engineer, in conjunction with the water and/or sewer provider, approves the use of another scale. Plans for other purposes may require the use of a larger or smaller scale.
3. Water and sewer improvement plans may be submitted shown on the same set of plans. The water and sewer improvement plans must also be shown on the paving plans. A signature block for Arizona Department of Environmental Quality (A.D.E.Q.) approval shall be provided on the front page of the water and sewer improvement plans as well as on the Storm Water Pollution Prevention Plans (S.W.P.P.). It shall be the developers responsibility to obtain approval signatures from A.D.E.Q.
4. Separate grading and drainage plans shall be submitted.

**B. Improvement Plan Submittal Requirements**

1. Initial Submittal with Final Plat - The following plans and reports, along with the required fees, shall be submitted to the Planning & Economic Development Department (see City of Maricopa Fee Schedule and Submittal Requirement Checklist for specific fees and number of sets or copies):
  - a. Improvement plan review fees (paid to City & utility companies)
  - b. Final Plat review fee (paid to City)
  - c. Final Plat
  - d. Water and Sewer Improvement Plans
  - e. Paving, Grading, and Drainage Improvement Plans
  - f. Landscape, Recreation and Open Space Improvement Plans
  - g. Dry utility Improvement Plans (submitted directly to utility companies serving the development)
  - h. Final Drainage Report
  - i. Final Geotechnical/Soils Report (only if revised from original)
  - j. Final Traffic Report (only if revised from original)
  - k. Boundary Closure
  - l. Subdivision Deed Restrictions or Covenants, Conditions and Restrictions (CC&R's), if any

2. The final plat shall be in recordable form showing all information including dedication statement, signature blocks, and other notations as necessary. The Pinal County Recorder signature block shall be included on every page of the Final Plat.
3. Subsequent submittals of improvement plans and reports will require that the redline comments be submitted in addition to the same number of sets as in the initial submittal requirements.
4. An approval signature block shall be included on the front page of all improvement plans.
5. Final Submittal - The following information, documents and material shall be submitted to the Planning & Economic Development Department (see City of Maricopa Submittal Requirement Checklist for specific number of sets or copies):
  - a. Engineers Cost Estimate
  - b. Improvement Plan mylar cover sheet
  - c. Final Plat (paper prints)
  - d. 11" X 17" photo mechanical transfer (PMT) of the final plat
  - e. 11" X 17" PMT of the final landscape, recreation and open space plan
  - f. A.L.T.A. Title Report (current to the date of final plat recordation)
  - g. Assurance of construction (refer to Sec.14-7-5 for specifics)
  - h. Utility companies approval and clearance letter
  - i. Electronic copy, in .DWG format, of the final plat and plat closure
6. City Recordation Submittal - The following fees, documents and plans shall be submitted to the Planning & Economic Development Department after the City Engineer has approved the improvements plans and the City Council has approved the Final Plat (see City of Maricopa Fee Schedule and Submittal Requirement Checklist for specific fees and number of sets or copies):
  - a. Recording fees (for Final Plat and CC&R's)
  - b. Original, signed, Covenants, Conditions & Restrictions
  - c. Mylar, (not ammonia process) for County Records
  - d. Mylar, not less than 3 mil, for City Records
  - e. Approved Improvement Plans (paper prints)

**C. Landscape, Recreation and Open Space Plan Submittal Requirements**

1. Preliminary Landscape, Recreation and Open Space Plan - A preliminary landscape, recreation and open space plan, prepared by an Arizona Registered Landscape Architect and/or Registered Professional, shall be submitted as part of the "Stage 2 - Preliminary Plat Application", as referenced in Article 14-4 of this Ordinance, and shall at a minimum contain the following:
  - a. Identify the location of proposed park(s) and open space areas, the proposed amenities and different types of uses (i.e. passive, active, landscaping etc).

- b. Identify the location of all existing and proposed species and inorganic ground covers, sidewalks, paths, curbing, fencing, walls, benches, ramadas, fountains, and waterways. For fencing and walls, provide a preliminary graphic representation as to what is intended relative to the fencing and wall themes.
  - c. Show right-of-way landscaping. Right-of-way landscaping is required. The entire area of the right-of-way, between the street lot line property line and back of curb (B.O.C.) and/or pavement except for approved driveways, sidewalks and pathways, shall be landscaped.
  - d. Include a plant palette, in list form, on the landscape plans that call out all proposed plant species and inorganic ground covers.
  - e. Identify existing and proposed lots, streets, fences, walls, wells, or other features as may be applicable.
  - f. Identify the line of sight requirements of the City, County and State.
  - g. Identify the name of the developer, project engineer, and landscape architect on the plan.
2. Final Landscape, Recreation and Open Space Plan - A final landscape, recreation and open space plan shall be prepared by an Arizona Registered Landscape Architect and/or Registered Professional and shall be submitted as part of the final plat and improvement plan submittal and shall at a minimum contain the following:
- a. Final irrigation plan
  - b. Identify the specific park and open space areas and include a list of all amenities (type and quantity). Provide cut-sheets or the manufactures information for all play equipment, furniture, lighting and signage and for each type of use (i.e. passive, active, landscaping etc).
  - c. Identify the location of all retained and proposed species and inorganic ground covers, sidewalks, paths, curbing, fencing, walls, benches, ramadas, fountains, and waterways. For fencing and walls, provide a final graphic representation as to what is intended relative to the fencing and wall themes.
  - d. Show right-of-way landscaping. Right-of-way landscaping is required. The entire area of the right-of-way, between street lot line property line and back of curb (B.O.C.) and/or pavement except for approved driveways, sidewalk and pathways, shall be landscaped.
  - e. Include the approved preliminary landscape plan plant palette, in

list form, on the landscape plans that call out all proposed plant species and inorganic ground covers.

- f. Identify the specific sizes of all proposed plant and inorganic ground covers. This information shall be included within the plant palette list on the landscape plan.
- g. Identify the exact quantities for each species of tree, shrub and ground cover per each size and species. This information shall be included within the plant palette list on the landscape plan.
- h. Identify the material type, width and depth of the surfacing of all proposed paths, trails and walks.
- i. Identify the type and location of proposed subdivision perimeter walls/fencing and entry monumentation. Indicate exact material types for all fencing and walls and entry monumentation proposed. A separate 24" X 36" wall/fence sheet may be required to be submitted as part of the improvement plan submittal.
- j. Identify existing lots, streets, fences, walls, wells, or other features as may be applicable.
- k. Identify the line of sight requirements of the City, County and State.
- l. Identify the name of the developer, project engineer, and landscape architect on the plan.

**D. Report Submittal Requirements**

- 1. Preliminary Drainage Report - A preliminary drainage report shall be submitted as part of the "Stage 2 - Preliminary Plat Application", as referenced in Article 14-4 of this Ordinance, and shall at a minimum contain the following information:
  - a. Delineation of the boundaries of on-site and off-site drainage areas. Information about adjacent property, such as significant differences in elevation, walls, drainage structures, buildings with their floor elevations etc. shall be provided.
  - b. Identify the drainage pattern for all existing and proposed streets and building sites. Label the different critical points and where inlets/outlets are to be located.
  - c. Justify the runoff factor (C-factor) used in the computations.
  - d. Describe offsite flows from adjacent properties onto the property to be developed. Drainage area, calculated peak flows, velocity and other pertinent runoff data must be presented. If the flow is in a defined channel, the channel must be improved. Special consideration for joint use of open channels as a recreational

amenity is to be given on each individual project. The runoff from areas outside the development may be realigned through the new development.

- e. Indicate the retention/detention volume required, and provided. Indicate the method for draining basins in thirty-six (36) hours, and who is responsible for maintenance.
  - f. Show location of all drainage easements.
2. Final Drainage Report - A final drainage report (see City of Maricopa Submittal Requirement Checklist for number of copies) shall be submitted as a part of the improvement plan submittal for all developments. The report shall be a complete report and not an addendum to the preliminary drainage report. The format shall be as previously described and include the following additional information (see “Pinal County Final Drainage Manual”):
- a. Place inlets and/or scuppers wherever the flow exceeds the street capacity. The inlets and/or scuppers are to be analyzed separately and catch basin computations shall be submitted.
  - b. Size the storm drains and culverts and submit design computations.
  - c. Final retention/detention basins calculations including 36-hour percolation, or evaporation rates.
  - d. Channel flow calculations considering the impacts of landscaping and other joint use impacts on the cross-section and Mannings coefficients.
  - e. Adjusted calculations for pre- and post- development conditions.
3. Geotechnical Report - A geotechnical/soils report shall be submitted as part of the “Stage 2 - Preliminary Plat Application”, as referenced in Article 14-4 of this Ordinance, and shall at a minimum contain the following information:
- a. Identifies any special geotechnical hazards, and develops recommendations regarding the hazards, grading, foundations and pavement.
  - b. The geotechnical hazards portion shall consider at a minimum expansive soils, soil creep, landsliding, and groundwater.
  - c. The grading and foundations portion of the report shall include data regarding the distribution and engineering characteristics of the various soil materials; data about groundwater levels; percolation test; an opinion regarding the geotechnical feasibility of the development as planned; recommendations about any needed mitigation measures for geotechnical hazards, grading criteria and foundation design criteria and any other pertinent information.

- d. The pavement design portion shall include data regarding the distribution of various subgrade materials and for each, design test such as R-value. The design procedure and all assumptions used to determine the pavement section shall be presented. The selected design procedure per the traffic and geotechnical report shall not result in a lesser pavement section than the minimum allowed in Chapter 6 of this Ordinance.
- 4. Traffic Impact Analysis - All traffic analysis shall be completed by a Registered Arizona Professional Engineer with adequate experience in traffic/transportation engineering. A traffic report shall be submitted as part of the “Stage 2 - Preliminary Plat Application”, as referenced in Article 14-4 of this Ordinance, and shall at a minimum contain the following information:
  - a. Identification of the scope of the TIA
    - 1. Introduction
    - 2. Study area (existing, proposed)
    - 3. Traffic impact analysis background and requirements
  - b. Identification of existing geometric conditions and traffic control devices that may be impacted by development
  - c. Estimates and distribution of site-generated traffic
    - 1. Trip generation
    - 2. Trip distribution and trip assignment
    - 3. Projected on-site turning movement counts
    - 4. System traffic (Existing and projected)
    - 5. Capacity analysis (existing conditions, build out without project conditions, build out with project conditions, and horizon year)
  - d. Forecast of future non-site related traffic
  - e. Capacity analyses and projected operational levels of service for boundary roadways and intersections
  - f. Analysis and justification of site improvements that will require deviation from established City of Maricopa design and development guidelines. Where site improvements deviate from these guidelines, supporting documentation shall be provided that detail why these variances are justified. Furthermore, it must be demonstrated that not only will these variances and/or deviations not have an adverse impact on the adjacent transportation facilities, but that they will actually augment the operation of the existing infrastructure.
  - g. Identification of any roadways and/or intersections within the study area that are expected to operate at LOS D, E or F under existing and/or projected traffic conditions.

- h. Conclusions and recommendations: All geometric and operational improvements necessary to provide an acceptable LOS for facilities within the project site and/or along the boundary streets of the project site should be identified. Both on-site and off-site improvements should be evaluated. Priority should be given to beneficial off-system improvements as a means of minimizing the impact on the existing transportation system. Improvements that are to be considered for the purpose of mitigating less than acceptable LOSs shall include as a minimum pavement widening, installation of turn lanes, installation of median islands, access control, installation of curbs and/or sidewalks, installation of traffic signalization, traffic signing, and/or pavement marking modifications.
  - i. Other special requirements, as determined by the City Engineer.
  - j. A traffic report shall be prepared whenever a development is expected to generate one hundred (100) or more new inbound or outbound trips during the peak hours, or over 750 trips in an average day. Due to safe access concerns, the City may require a traffic report be provided for projects that do not meet the thresholds stated above.
- 5. Final Traffic Report - The traffic report submitted and approved with the preliminary plat will be considered to be final unless significant changes are made to the previously approved plat. If significant changes occur (lot quantity, lot size, land use, street network, functional classification, etc.) an amended traffic report shall be submitted and approved for the re-subdivision.
- 6. **Water Analysis Report** - A water analysis report shall be submitted along with the improvement plan submittal. This report shall include the following information:
  - a. Additional water improvements needed for new source, storage, transmission and distribution
  - b. Location and size of the closest existing water line. Static residual pressure and location taken
  - c. The location of all existing fire hydrants within 1,000 feet of the proposed subdivision and the number and location of all proposed fire hydrants
  - d. Line size and flow calculations for each use classification
- 7. **All of these reports shall be reviewed and approved by the City Engineer or consultant experts designated by the City**

**Engineer.**

**Section 14-7-4 Improvement Plan Review Process**

- A.** The project Engineer shall submit “dry utilities” improvement plans (i.e. gas, electric and telecommunications) directly to the utility companies serving the development . All fees for review of the plan(s), reports, and other submittals shall be paid by the developer (see City of Maricopa Fee Schedule for specific fees). Design and/or review fees, for all utilities, shall be paid to the respective utility companies (per utility company fees and policies).
- B.** The City staff will review the submittal for accuracy, completeness, compliance with stipulations made by the Commission or City Council, requirements of the Technical Advisory Committee, and conformance with all City Codes.
- C.** Redline comments, including ED3/APS preliminary design plan, will be returned to the Developer’s Engineer and Landscape Architect of record for corrections, additions, revisions and in the case of the ED3/APS plan for conflict checks.
- D.** Subsequent submittals of the improvement plans and reports shall also include the latest redline set of plans/comments. It shall be the developer’s responsibility to resubmit the ED3/APS preliminary design plan after it has been checked by the developer’s Engineer for potential conflicts.
- E.** Within ninety (90) days from the date of City Council approval, and prior to the recording of the Final Plat and Covenants, Conditions and Restrictions (CC&R’s), the following items must be submitted:

  - 1. A project approval letter, signed by the City Engineer, stating that all of the subdivision improvement plans and reports have been approved by the City
  - 2. A project approval letter, signed by the Administrator, stating that any and all required agreements between the City and developer have been executed
  - 3. A letter of agreement from the serving utilities stating the availability of utilities and the approval of improvement plans for the subdivision
  - 4. The required “Financial Assurance for Construction”
- F.** If the engineering plans have not been approved within ninety (90) days, solely due to reasons on the part of the developer, the Council may require that the final plat be resubmitted.



## **Section 14-7-5      Assurances by Developer**

### **A.      Agreement by Developer**

1.      The subdivision improvements in an approved development may be constructed in practical increments in accordance with a Council approved Phasing Plan subject to provisions for satisfactory drainage, traffic, circulation, utilities, landscaping and other elements of the total development plan.
2.      The improvements shall be constructed in accordance with plans approved by the City Engineer, State agencies and utility companies and shall be completed within an agreed specific time period.
3.      The developer shall give adequate Financial Assurance for Construction for each phase in accordance with this Ordinance and to the satisfaction of the City Engineer and City Attorney.
4.      Once a construction permit has been issued for improvements under the Financial Assurance of Construction, work shall proceed without interruption until the City Engineer accepts the improvements.
5.      Any work shown on approved plans that has been abandoned for a period of (180) days, or not completed by the developer in accordance with an agreed upon time period, may be completed by the City which may recover the construction costs from the developer.
6.      When in the opinion of the City and the developer it is in the best interest of both parties to delay installation of development required improvements to coincide with adjacent work the City Council may elect to accept payment of the estimated cost of said improvements in-lieu of construction by the developer. The timing of this payment will be specified in a Council approved Phasing Plan.

### **B.      Financial Assurances of Construction**

1.      The City Council shall require that the applicant provide cash, a performance bond from a corporate surety licensed to do business as a surety in Arizona, an irrevocable letter of credit, or funds in escrow at the time of application for final subdivision approval in the amount sufficient to secure to the City the satisfactory construction, installation, and dedication of the required improvements. The amount of the financial guarantee shall be no less than 120 percent and no more than 150 percent of the cost of the installation and materials necessary to complete the subdivision, depending on conditions.
2.      Such financial guarantee shall comply with all statutory requirements and shall be satisfactory to the City Attorney as to form, sufficiency, and manner of execution, as set forth in this Ordinance. The periods within which required improvements must be completed shall be incorporated in the financial guarantee and shall not, in any event, exceed two (2) years from the date of final approval. The City shall require that ten (10%)

percent of the gross total cost of public improvements be retained by the City for the duration of the warranty period which begins from the “Date of Acceptance” of said improvements by the City Council.

3. Whenever it is deemed appropriate or necessary by the **City** Engineer and the **City** Council to defer, for an additional two (2) year period, the construction of any required public improvements, because of incompatible grades, future planning, inadequate or lack of connecting facilities, or for other suitable reasons, the developer shall provide renewed assurances based on updated costs as determined by the **City** Engineer to secure completion of the required public improvements.

## **Section 14-7-6 Construction and Inspection**

- A. All improvements whether public or private shall be constructed to the latest Uniform Standard Specifications for Public Works Construction as written and promulgated by the Maricopa Association of Governments (MAG), the latest standards and specifications adopted by the City, or standard specifications of the utility provider; whichever is greater.
- B. All improvements shall be constructed with the inspection and approval of the City Engineer. All construction shall require a City construction permit and a County dust control permit. Construction shall not begin until a permit has been issued by the City for the construction and a dust control permit has been issued for the site by the Pinal County Health Department.
- C. A preconstruction meeting must be scheduled, by the developer, to include all dry utilities before any trenching or conduit installation is permitted/accepted.
- D. Public utilities must be installed either in public dedicated rights-of-way or public utility easements (PUE's) or easements dedicated specifically by the landowner for such usage and maintenance.
- E. All utility companies, public and private, must inspect all trenches, pipes, lines and conduit installation prior to backfill.
- F. Shading material shall be per the individual utility company standards and all backfill shall be compacted to ninety-five (95%) percent or better if required by the geotechnical/soils report.
- G. All underground utilities to be installed in streets and private access ways, shall be constructed prior to the surfacing of such street or private access way.
- H. The developer shall provide for an Arizona Registered Engineer to be present on the site to assess compliance with the plans and specifications for each element of construction.
- I. The City Engineer shall be notified in writing forty-eight (48) hours prior to any construction on the project site.

- J. The City Engineer shall be notified upon completion of all underground utilities within the street right-of-ways and prior to any street preparation work. Interim as-built plans of the utilities and all passing tests results shall be submitted for review. Upon review and approval of the supplied information, the developer may proceed with the installation of street improvements.
- K. The developer's engineer shall request the City Engineer to perform inspections of the subgrade base prior to placement of the overlaying materials. In addition the City Engineer will perform periodic inspections throughout the course of the construction. These inspections or approvals do not signify that the City has accepted any of the improvements for maintenance.
- L. The developer's engineer shall submit monthly progress reports to the City Engineer throughout the construction as requested by the City Engineer. The monthly progress reports shall include the results of all tests taken during the month.
- M. Testing during the construction phase of the project shall be performed as required by the City Engineer and the involved utility companies' policies.

## **Section 14-7-7 Subdivision Improvement Acceptance**

- A. General - Upon completion of all subdivision improvements and installation of monumentation the City Engineer will perform a final inspection and review the final reports and "as-built" drawings for approval.
- B. Final Inspection - At completion of the project a final inspection shall be requested with the City Engineer. At the time of request for the final inspection mylars and an electronic copy of the "as-built" drawings shall be submitted along with a final engineers' report and warranty statement to the City Engineer (see City of Maricopa Closeout Package requirements). The "as-built" drawings shall be certified and contain the following statement:

"I certify that the construction of the public improvements and the "as-built" plan preparation were performed by me or under my direct control and supervision. The construction details as shown on the "as-builts" are accurate and complete to the best of my knowledge and belief."

\_\_\_\_\_  
Arizona Registered Engineer

\_\_\_\_\_  
Date &  
Registration Number

- C. Final Report - A final report shall be submitted upon completion of the project. The final report shall be compiled by the developers' engineer and shall include the following:

1. A brief statement of the testing on the project and a statement as to whether the observations and tests indicate that the various materials in place comply with the plans and specifications
2. A summary of all field density test and compaction tests on trench backfill, on street subgrade and base material and on any fill material
3. Asphalt and pavement mix design and all results of Marshall, gradation, asphalt content and compaction tests
4. All concrete mix designs and all test results on air content, slump, unit weight, compressive strength at seven (7) and twenty-eight (28) days
5. All line pressure, bacteria and manhole test information
6. Any other tests or information that may be required as a part of the specifications or that may add to the integrity of the report

**D.** Procedure - The following procedure will be followed for final acceptance of the improvements:

1. The City Engineer shall make a final inspection of all public improvements in the project. The developer will be notified of any items that are not in conformance with the City specifications, and shall bring the items into conformance.
2. The “as-built” plans and final report will be reviewed by the City Engineer. Any additional information needed will be noted and the plans will be returned to the developer for revision and resubmittal as mylars.
3. When the public improvements have passed the final inspection, the “as-built” plans and final report have been stamped and approved and the warranty statement provided, the City Engineer shall make a written recommendation to the City Council to accept the public improvements for maintenance.
4. All utilities shall have ADEQ approval of construction signature blocks &/or letters.

**E.** Warranty Period on Public Improvements - The warranty period begins on the day that the City Council accepts the public improvements. At a minimum a warranty period of one (1) year for all utilities, roadway pavement and structure, landscaping and other public improvements shall apply to all subdivision improvements; however the warranty period may extend beyond that time period as determined by the City Engineer. During the warranty period the developer is responsible for repair work to any of the public improvements. The City Engineer will periodically inspect the public improvements and will notify the developer of the necessary repair work. The developer is responsible for having the repair work completed prior to the end of the warranty period. Upon completion of the warranty period and acceptable repair of any necessary warranty items the remainder of the financial assurances retained by the City will be released.

## ***Appendix A – Landscape Plant List***

This list does not include all of the possible Low Water Use/Drought Tolerate Plants; rather it lists those that the City of Maricopa would prefer to have used within the public rights-of-way. Nor does this list imply that every plant listed is suited to every right-of-way or low water use landscape situation. It is the responsibility of the landscape designer, architect or contractor to determine which plants are suitable for a specific location and situation.

### **TREES**

Acacia smallii - Desert Sweet Acacia  
A. greggii - Catclaw Acacia  
A. willardiana - Palo Blanco  
A. saligna - Wattle  
A. schaffneri - Twisted Acacia  
Cercidium floridum - Blue Palo Verde  
C. praecox - Palo Brea  
C. microphyllum – Foothills Palo Verde, Little Leaf Palo Verde  
Celtis reticulata - Western Hackberry  
C. pallida – Desert Hackberry  
Chilopsis linearis - Desert Willow  
Dalbergia sissoo – Sissoo Tree  
Lysiloma thornberi – Desert Fern, Fern-of-the-desert  
Olneya tesota – Ironwood  
Pithecellobium flexicaule - Texas Ebony  
Prosopis velutina - Velvet Mesquite  
P. glandulosa - Texas/Honey Mesquite  
P. pubescens - Screwbean Mesquite  
Schinus molle – California Pepper Tree  
Ulmus parvifolia cv. 'Sempervirens' – Chinese Evergreen Elm

### **CACTI and SUCCULENTS**

Agave - many species  
Carnegiea gigantea - Saguaro  
Echinocactus grusonii - Golden Barrel  
Echinocereus engelmannii - Hedgehog Cactus

Ferocactus acanthodes - Compass Barrel  
Opuntia violacea - Purple Prickly Pear  
O. basilaris - Beavertail Prickly Pear  
Yucca elata - Soaptree Yucca  
Y. brevifolia - Joshua Tree  
Y. baccata - Banana Yucca

### **GROUNDCOVERS**

Baileya multiradiata - Desert Marigold  
Dalea greggii - Trailing indigo Bush  
Lantana spp. – Trailing Lantana  
Melampodium leucanthum - Blackfoot Daisy  
Oenothera berlandiere – Mexican Evening Primrose  
Stachys coccinea - Texas Betony  
Zauschneria californica - Hummingbird Trumpet

### **SHRUBS**

Ambrosia deltoidea – Triangleleaf Bur-sage  
Atriplex leatiformis - Quail Bush  
Caesalpinia mexicana - Mexican-bird-of-paradise  
C. pulcherrima - Red-bird-of-paradise  
C. qilliesii - Yellow-bird-of-paradise  
Calliandra. californica - Baja Red Fairy Duster  
C. eriophylla – Pink Fairy Duster  
Cassia wislizeni - Shrubby Senna  
Dalea frutescens - Black Dalea  
D. pulchra - Pea Bush  
D. versicolor - Indigo Bush  
Dodonaea viscosa - Hopbush  
Encelia farinosa - Brittlebush  
Fouquieria splendens - Ocotillo  
Hesperaloe pariflora - Hesperaloe  
Justicia californica - Chuparosa  
J. spicigera - Orange Hummingbird Bush  
Larrea tridentata - Creosote  
Leucophyllum frutescens - Texas Sage or Green Cloud  
L. candidum - Silver Cloud  
L. laevigatum - Chihuahuan Sage  
Penstemon eatoni - Firecracker Penstemon  
P. parryi - Parry's Penstemon  
P. pseudospectabilis - Desert Penstemon  
P. superbus - Superb Penstemon  
Ruellia spp. - Ruellia  
Salvia spp. - Sage  
Senna spp. - Cassia  
Simmondsia chinensis – Jojoba

**Sphaeralcea ambigua - Globe Mallow**

Tecoma stans - Arizona Yellow Bells